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U. S. DEPARTMENT OF AGRICULTURE.

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4101-4150.

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4101. Misbranding of "Mother Hart's Baby Syrup." U. S. v. Guy H. Boyd (Dale & Co.). Plea of nolo contendere. Fine, \$25. (F. & D. No. 5907. I. S. No. 9105-e.)

On April 20, 1915, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Guy H. Boyd, trading as Dale & Co., York, Pa., alleging shipment by said defendant, in violation of the Food and Drugs act, as amended, on February 14, 1913, from the State of Pennsylvania into the State of Maryland, of a quantity of "Mother Hart's Baby Syrup" which was misbranded. The article was labeled: "Mother Hart's Baby Syrup A Safe Remedy For The Home. Each Ounce Contains 3 Grains Opium Not Over 10 Per Cent of Alcohol Guaranteed under the Pure Food and Drugs Act of June 30, 1906. Serial No. 6428. Dale & Co. Wholesale Druggists, York, Pa. For The Pet Of The Family For the Relief of Griping in the Bowels, Wind Colic, Diarrhæa, Difficult Teething, Peevishness, Restlessness, Summer Complaint, Disordered Stomach, and many other complaints of children having the seat of trouble in their bowels. Will prevent Convulsions and Infantum if taken in time. Directions.—Two days old, 2 drops; 1 week old, 6 drops; 1 month old, 10 drops; 6 months old, 20 drops; 1 year old, 30 drops; 2 years old, 40 to 60 drops. A Safe, Sure and Speedy Relief for the Aches and Pains Starting in the little Stomach. 25¢." "Mutter Hart's Kinder Tropfen Dale & Co. Apotheken, York, Pa. Ounce Hat Dri Grana Opium, Nicht Sair Tsana Per Centa Alcohol. Die Bester Medicin in der Welt fur Kinder, Curire Bauchkrampf und Bauchkneifen, Durchfall un alle Kinterkrankheiten darch das kommen der Zahne verusaht. Es verhuted Kinder Cholera und Convulsionen und Maga Krankheit fur aller art. Gebrauche Anweisung. Fur Kinder: Unter 2 tag, 2 Tropfen; 1 wock, 6 Tropfen; 6 monat, 20 Tropfen; 1 yore, 30 Tropfen; 2 yore, 40 dis 60 Tropfen; wen nothwending den wekler einzugeben."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	9.00
Solids (per cent)	39. 39
Sucrose (Clerget) (per cent)	35. 36
Benzoic acid (grams per 100 cc)	0.44
Opium (9 per cent morphine) $\begin{cases} (a) & \text{(grains per ounce)}_{} \\ (b) & \text{(grains per ounce)}_{} \end{cases}$	3. 66
opidin (s per cent morphine) (b) (grains per ounce)	3. 69
Tartar emetic: Absent.	

Misbranding of the article was alleged in the information for the reason that the packages thereof bore the following statements regarding the article and the ingredients and substances contained therein, to wit, "A Safe Remedy For The Home," "A Safe, Sure and Speedy Relief for the Aches and Pains Starting in the little Stomach," which said statements were false and misleading in that they falsely represented, and were of such nature as to create in the minds of the purchasers of the article the impression and belief, that the said article contained no harmful ingredients, and that said drug could be administered to children without detriment to their health; whereas, in truth and in fact, said drug contained opium, a powerful narcotic poison, which rendered it an unsafe remedy for the home and an unsafe drug for administration to children. Misbranding was alleged for the further reason that the packages containing the bottles of drug bore statements regarding the therapeutic or curative effects thereof as follows, to wit, "Will prevent Convulsions and Infantum if taken in time," "A Safe, Sure and Speedy Relief for the Aches and Pains Starting in the little Stomach," and "A Safe Remedy For The Home," which said statements were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective to prevent convulsions and cholera infantum, and that said article was a safe remedy for the home and a safe remedy to be administered to children; whereas, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective to prevent convulsions and cholera infantum; furthermore, said drug was not a safe remedy for the home and a safe remedy for administration to children, but was an unsafe remedy for the home and an unsafe article for administration to children by reason of the fact that it contained opium, a powerful narcotic poison. Misbranding was alleged for the further reason that the packages containing said drug bore on the label thereof the following statements in the German language, "Die Bester Medicin in der Welt fur Kinder. Curire Bauchkrampf und Bauchkneifen, Durchfall un alle Kinterkrankheiten darch das kommen der Zahne verusaht. Es verhuted Kinder Cholera und Convulsionen und Maga Krankheit fur aller art," which said statements, translated [in]to the English language, were, in tenor, as follows, "The best medicine in the world for children. Cures bowel cramps and colicy pains, diarrhea and all children's diseases caused by teething. It will prevent children's cholera, convulsions and stomach troubles of all kinds," which said statements were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients

or medicinal agents effective for the cure of diarrhea and all children's diseases caused by teething, and for the prevention of children's cholera, convulsions, and stomach troubles of all kinds; whereas, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of diarrhea and all children's diseases caused by teething, and said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the prevention of children's cholera and convulsions and stomach troubles of all kinds,

On May 4, 1915, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915.

4102. Misbranding of "Hibbard's Rheumatic HRS Syrup." U. S. v. Burks Medicine Co., a corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 5910. I. S. No. 7317-e.)

On June 11, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Burks Medicine Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 15, 1913, from the State of Illinois into the State of Indiana, of a quantity of "Hibbard's Rheumatic HRS Syrup" which was misbranded. The product was labeled: (On bottle) "Hibbard's Rheumatic HRS Syrup Contains Alcohol 10 per cent. For Rheumatism, Neuralgia, Scrofula, Salt Rheum, Erysipelas, Dyspepsia, Indigestion, & All Kidney, Liver, & Urinary Diseases. A Positive Proof Against Bright's Disease. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Price \$1.00. The Greatest Remedy Known For Diseases Peculiar To The Female Sex Change of Life, Irregularities, Abscesses, Tumors, Bearing Down, Pregnancy, Dropsy, Leucorrhea or Whites, Headache, Etc., Malaria, General Debility, Jaundice, Catarrh of the Bladder, Heart Disease, Etc. Notice: For A Cathartic There is no remedy known as valuable, containing as it does, Mandrake, Culvers Root, and Cascara Sagrada For Constipation or Biliousness. The Patient should take it on retiring at night, increasing the dose until it operates satisfactorily. The patient should continue using it in obstinate cases, for some time, and gauge the size of the dose so as to regulate the bowels, having a passage every morning. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Notice: In all Rheumatic or Neuralgic troubles, pain in the sides, or about the hips, shoulders, back, stomach, arms, hands, limbs and feet, inflammation of the bowels, or where there may be any severe pain, soreness or lameness Always Use Hibbard's Rheumatic Plaster in connection with the syrup. It can be applied over the inflamed parts and will relieve the suffering and reduce the inflammation in a surprisingly short space of time. These plasters may save life by drawing the inflammation away from the heart or other vital parts and they cannot be applied too quickly. They are the only genuine rheumatic plaster in the market containing the virtues of the old belladonna plaster with other very valuable properties. Don't fail to try them. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A., Price 25 Cts." (Blown in bottom of bottle) "Hibbard's Rheumatic Syrup." (On carton) "Hibbard's Rheumatic Syrup Contains Alcohol 10 per cent. For Rheumatism, Neuralgia, Scrofula, Salt Rheum, Erysipelas, Dyspepsia, Indigestion, & All Kidney, Liver & Urinary Diseases. A Positive Proof Against Bright's Disease. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Serial Number 1346.—Guaranteed under the Food and Drug Act of June 30th, 1906. Price \$1.00. Notice. In all Rheumatic or Neuralgic Troubles, Pain in the Sides, or about the Hips, Shoulders, Back, Stomach, Arms, Hands, Limbs and Feet, Inflammation of the Bowels, or where there may be any Severe Pain, Soreness or Lameness Always Use Hibbard's Rheumatic Plaster In connection with the Syrup. It can be applied over the inflamed parts and will relieve the suffering and reduce the inflammation in a surprisingly short space of time. These plasters may save life by drawing the inflammation away from the heart or other vital parts, and they cannot be applied too quickly. Is Manufactured only for Burks Medicine Company, Chicago, Illinois. None others are genuine. Price 25 cents. The greatest Remedy Known for Diseases Peculiar to the Female Sex. Change of Life, Irregularities, Tumors, Bearing Down, Pregnancy, Dropsy, Leucorrhoa or Whites, Headache,

Etc. It removes Blotches and Brown Spots from the Face, Producing a healthy Complexion, and a bright, clear expression to the eye, Malaria, General Debility, Gravel, Jaundice, Catarrh of the Bladder, Heart Disease, Etc. Special Notice: For A Laxative. In severe and obstinate cases, where the syrup does not have the desired effect in moving the bowels, the patient should procure Hibbard's Rheumatic and Liver Pills, which are especially and scientifically prepared for acting strictly upon the liver and stomach. These Pills are put up in boxes and contain double the quantity for the money of any on the market. They Never Fail. Manufactured only for Burks Medicine Co., Chicago, Successors to Rheumatic Syrup Co. Hibbard's Rheumatic Syrup. The Greatest Tonic and Appetizer Ever Produced. A blood purifier for purifying the Blood, invigorating the system, eradicating all diseases arising from a disordered Stomach, Liver, Bowels, or Kidneys, and as a Cathartic for moving the Bowels mildly, and without pain, griping, or weakness, this preparation has no equal. As it is a great remedy for all liver and kidney diseases, it is naturally a preventive against Chills, Ague and Intermittent Fever. None Genuine without Our Signature Burks Medicine Company." (Red sticker on each end of carton) "Burks Medicine Co., New York & Chicago None Genuine Without this label J. A. Cressler, Secy. To counterfeit this label is a felony Hibbard's Rheumatic Syrup."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	5.4
Total solids (grams per 100 cc)	11.1
Ash (grams per 100 cc)	0.36
Reducing sugar as invert (grams per 100 cc)	7.52
Nonvolatile acids as citric (grams per 100 cc)	0.54
Volatile acids as acetic (grams per 100 cc)	0.09
Emodin, iodids, mercury, arsenic, alkaloids, methyl salicy-	
late: Absent.	
Salicylic acid, as sodium salicylate (per cent)	0.34

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "Hibbard's Rheumatic Syrup * * * For * * * Scrofula, Salt Rheum, Erysipelas, * * * & All Kidney, Liver & Urinary Diseases. A Positive Proof Against Bright's Dis-* * * The Greatest Remedy Known For Diseases Peculiar To The Female Sex * * * Abscesses, Tumors, * * * Dropsy, Leucorrhæa or Whites, * * * Malaria, * * * Catarrh of the Bladder, Heart Disease, Etc.," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, and all kidney, liver, and urinary diseases, and effective as a preventive of Bright's disease, and effective as a remedy for diseases peculiar to the female sex, abscesses, tumors, dropsy, leucorrhea or whites, malaria, catarrh of the bladder, and heart disease; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, or all kidney, liver, or urinary diseases, or effective as a preventive of Bright's disease, or effective as a remedy for diseases peculiar to the female sex, abscesses, tumors, dropsy, leucorrhea or whites, malaria, catarrh of the bladder, or heart disease. Misbranding was

alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, (On carton) "Hibbard's Rheumatic Syrup * * * For * * * Scrofula, Salt Rheum, Erysipelas * * * & All Kidney, Liver and Urinary Diseases. A Positive Proof Against Bright's Disease * * * The greatest Remedy Known for Diseases Peculiar to the Female Sex * * * Tumors, * * * Dropsy, Leucorrhœa or Whites, * * * It removes Malaria, * * * Gravel * * * Catarrh of the Bladder, Heart Disease * * * Hibbard's Rheumatic Syrup * * * A blood purifier for purifying the Blood, * * * eradicating all diseases arising from a disordered Stomach, Liver, Bowels, or Kidneys * * * As it is a great remedy for all liver and kidney diseases, it is naturally a preventive against * * * Intermittent Fever," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, and all kidney, liver, and urinary diseases, and effective as a preventive of Bright's disease, and effective as a remedy for diseases peculiar to the female sex, tumors, dropsy, leucorrhea or whites, and effective as a remedy for malaria, gravel, catarrh of the bladder, heart disease, and effective as a blood purifier, and effective for eradicating all diseases arising from a disordered stomach, liver, bowels, and kidneys, and effective as a remedy for all liver and kidney diseases, and effective as a preventive of intermittent fever; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, or all kidney, liver, or urinary diseases, or effective as [a] preventive of Bright's disease, or effective as a remedy for diseases peculiar to the female sex, tumors, dropsy, leucorrhea, or whites, or effective as a remedy for gravel, catarrh of the bladder, or heart disease, or effective as a blood purifier, or effective for eradicating all diseases arising from a disordered stomach, liver, bowels, or kidneys, or effective as a remedy for all liver or kidney diseases, or effective as a preventive of intermittent fever.

On June 22, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

Carl Vrooman, Acting Secretary of Agriculture. Washington, D. C., December 4, 1915.

4103. Misbranding of "Cusachs' Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites." U. S. v. The Henry S. Wampole Co. Plea of guilty. Fine, \$40. (F. & D. No. 5911, I. S. No. 6423-e,)

On June 1, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Henry S. Wampole Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 31, 1912, from the State of Maryland into the State of Louisiana, of a quantity of "Cusachs' Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites" which was misbranded.

The product was labeled: (On carton) "Cusachs' Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites Alcohol 18 per cent. This preparation is prepared from the extract of Cod Liver Oil (obtained from the fresh livers, eliminating the nauseous oil and fat), Fluid Extract Wild Cherry Bark, Liquid Extract of Malt and Compound Syrup of Hypophosphites. It has an agreeable and pleasant taste and will not disturb the digestion. Prepared for Cusachs' Pharmacy Prescription Specialists Corner Canal and Baronne Streets, New Orleans, La. Price \$1.00 per (On sides of carton) "Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites," (On top flap) "Serial Number 2124-A." (On bottle) "Cusachs' Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites, Alcohol 18 per cent. This preparation is prepared from the Extract of Cod Liver Oil (obtained from the fresh livers, eliminating the nauseous oil and grease), Fluid Extract of Wild Cherry Bark, Liquid Extract of Malt and Compound Syrup of the Hypophosphites. It has an agreeable and pleasant taste, and will not disturb the digestion. Directions: For an adult, one tablespoonful half an hour before meals and before retiring. Children, one or two teaspoonfuls according to the age or nature of the disease. Shake Well Before Taken. Prepared for Cusachs' Pharmacy, Prescription Specialists Corner Canal and Baronne Streets, New Orleans, Louisiana." In the pamphlet or circular accompanying the article there appeared, among others, the following: "This Palatable Preparation of the Extract of Cod Liver Oil with Wild Cherry, Malt and Hypophosphites, containing the active medicinal properties of Cod Liver Oil, Fluid Extract of Wild Cherry Bark, Liquid Extract of Malt and Compound Syrup of Hypophosphites, is beyond comparison the most efficient remedy in the treatment of Pulmonary Diseases, Bronchitis, Obstinate Cough, Loss of Voice, Hoarseness, Tonsilitis, Nervous Debility, Insomnia, Nervous Dyspepsia, Palpitation of the Heart, Chlorosis, Anemia and diseases due to, or maintained by an exhausted condition of the nervous system." "It is a Reconstructive Tonic Stimulant and Nutritive and of great value in the treatment of all chronic diseases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product appeared to be a hydroalcoholic solution of sugars, probably coming from malt extract, extracts of cod liver oil and wild cherry, and very small amounts of the citrates and hypophosphites of calcium, sodium, potassium, iron, manganese, quinine, and strychnine; it contained 12.0 per cent by volume of alcohol, 33.2 per cent of total solids, and 0.24 per cent of ash.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the circular aforesaid, to wit, "This * * * Preparation * * * is beyond comparison the most efficient remedy in the treatment

of Pulmonary Diseases, Bronchitis, Obstinate Cough, * * * Tonsilitis, Nervous Debility, Insomnia, Nervous Dyspepsia, * * * and diseases due to, or maintained by an exhausted condition of the nervous system," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as an efficient remedy for pulmonary diseases, tonsilitis, nervous debility, insomnia, nervous dyspepsia, and diseases due to, or maintained by, an exhausted condition of the nervous system; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agets effective as a remedy for pulmonary diseases, tonsilitis, nervous debility, insomnia, nervous dyspepsia, or diseases due to, or maintained by, an exhausted condition of the nervous system.

On June 1, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$40.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915.

4104. Misbranding of "Dr. Van Wert's Baisam for the Lungs," U. S. v. Samuel Felt (Van Wert Chemical Co.). Plea of guilty. Fine, \$10. (F. & D. No. 5914. I. S. No. 8059-c.)

On March 19, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Felt, trading under the firm name of Van Wert Chemical Co., Watertown, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 20, 1912, from the State of New York into the State of Massachusetts, of a quantity of "Dr. Van Wert's Balsam for the Lungs" which was misbranded. The product was labeled: (On carton) "Dr. Van Wert's Balsam for the Lungs The Great No. 2858. Guaranteed under the Food and Drugs Act, June 30, '06 Chloroform 4 min, to oz. Morphine \(\frac{1}{3} \) gr. to oz. Cure Price 25 cts. Manufactured by the Van Wert Chemical Co. Watertown, N. Y. Registered in U. S. Patent Office in 1885 By Van Wert Chemical Co. For Asthma Bronchitis Croup & Whooping Cough The Success of This Medicine Has Induced Many Imitators to Copy the Word Balsam Be Sure You Ask For Dr. Van Wert's And Take No Other Keep in a Cool Place Shake Well Before Using. Van Wert Chemical Co. For Consumption Coughs & Colds." (On bottle) "Dr. Van Wert's Balsam for Consumption, Coughs, Colds, Hoarseness, Croup, Whooping Cough, Asthma, Bronchitis, and all diseases of the Throat and Lungs. Directions. Keep bottle tightly corked and shake well before using. Dose. Ten or twelve drops to be taken as often as the tickling in the throat, which precedes a cough, is felt. In this way the affected membranes are treated to the continuous influence of the Balsam. If preferred, one teaspoonful may be taken after each meal, and upon retiring at night. For a child of ten years and under, five drops should be given on the occasion of every paroxysm of coughing. For infants, 2 drops in teaspoonful of water every hour. Price, 25 cents. Prepared only by Van Wert Chemical Co., Watertown, N. Y. Registered in United States Patent Office" (Blown in bottle) "Dr. Van Wert's Balsam Van Wert Chemical Co. Watertown, N. Y."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Chloroform (minims per fluid ounce)	2.64
Morphine (grains per fluid ounce)	0.18
Alcohol (per cent by volume)	0.73
Ammonium chlorid (grains per fluid ounce)	
Ash (per cent)	0.13
Glucose (per cent)	51, 5

The only medicinal ingredients of this preparation are morphine, chloroform, and ammonium chlorid, together with a small amount of alcohol; the base of the preparation is a water solution of glucose.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "* * * Balsam for the Lungs The Great * * * Cure * * * For Asthma * * * & Whooping Cough * * * For Consumption * * * " "Balsam for Consumption * * * Whooping Cough, Asthma, * * * and all diseases of the Throat and Lungs," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create

in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the cure of asthma, whooping cough, consumption, and all diseases of the throat and lungs; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of asthma, whooping cough, consumption, or all diseases of the throat and lungs. Misbranding was alleged for the further reason that the article contains 0.18 grain of morphine, and 2.64 minims of chloroform per fluid ounce, and the package then and there failed to bear a statement on the label of the bottle of the quantity or proportion of morphine and chloroform contained therein.

On April 6, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915,

4105. Misbranding of "Dr. T. B. Smith's Lung Tonic." U. S. * * * v. T. B. Smith Medicine Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 5917. I. S. No. 7976-e.)

On January 13, 1915, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the T. B. Smith Medicine Co., a corporation, Lexington, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 17, 1912, from the State of Kentucky into the State of Ohio, of a quantity of "Dr. T. B. Smith's Lung Tonic" which was misbranded. The product was labeled: (On carton) "Dr. T. B. Smith's Lung Tonic Contains no alcohol or narcotic. Guaranteed under the Pure Food and Drug Act June 30, 1906. For relieving and toning the lungs, consumption, coughs, asthma, hoarseness, croup, measles, bronchial congestions, colds, whooping cough. Excellent expectorant. Price, 25 Cents. Manufactured by the T. B. Smith Medicine Co. Lexington, Ky," (On one side of carton) "Out-sell all others. 25 years in use. Children cry for it-let them have it. Nothing dangerous in Dr. T. B. Smith's Lung Tonic. It relieves all that take it." (On other side of carton) "A Superior Compound, free from Opiates and other dangerous drugs usually found in cough remedies Sure and Safe. Truly the Remedy for Grip." back of carton) "Directions—Dose for Adults:—For Coughs, Colds and Hoarseness, two teaspoonsful every four to six hours; for Consumption, Pneumonia, Asthma, and Bronchial and Throat Affections, a tablespoonful every four to six hours; also take ten to fifteen drops after each coughing spell. Children from two to twelve years of age half the quantity used by adults. Infants, half teaspoonful. Prepared by Dr. T. B. Smith Medicine Co. Lexington, Ky. Price, 25 cents." (On bottle) "No Alcohol or Narcotics. Dr. T. B. Smith's Lung Tonic Pleasant and Agreeable to Take. For Consumption, Hoarseness, Coughs, Colds, Asthma, Croup, Whooping Cough, Measles, Lagrippe, Acute and Chronic Pneumonia This Remedy was known before the Food and Drug Law as Syrup of Black Cohosh, Prepared by Dr. T. B. Smith, Lexington, Ky. Price 25 Cents. Dose for Adults: For Coughs, Colds and Hoarseness, tablespoonful every four to six hours; for Consumption, Pneumonia, Asthma and Bronchial and Throat Affections, a tablespoonful every four to six hours; also take ten to fifteen drops after each coughing spell. Children from two to twelve years of age, half the quantity used by adults. Infants, half teaspoonful, We furnish this to Consumptive Patients by the gallon. Price, \$7.00 per gallon. Price, 25 Cents." The pamphlet or circular accompanying the article contained, among other things, the following: "A Valuable Remedy for Consumption, Coughs, Colds, Asthma, Croup, Hoarseness, Pneumonia, and all Acute and Chronic Affections of the Throat and Lungs. * * * It surpasses all cough medicines for consumption."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was an aqueous liquid containing sugar, oils of cinnamon, wintergreen and peppermint, and a small amount of vegetable matter.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "*** Lung Tonic *** For Consumption *** Asthma, Croup, Whooping Cough, Measles, Lagrippe, Acute and Chronic Pneumonia," (On carton) "*** Lung Tonic *** For relieving and toning the lungs, consumption *** croup, measles *** whooping cough. *** It relieves all that take it," were false and fraudulent in that the same were applied to said article knowingly and in reckless

and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a lung tonic and effective for the relief and cure of consumption, asthma, croup, whooping cough, measles, grippe, acute and chronic pneumonia, and effective for relieving and toning the lungs; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a lung tonic, or effective for the relief and cure of consumption, asthma, croup, whooping cough, measles, grippe, acute and chronic pneumonia, or effective for relieving and toning the lungs. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "A Valuable Remedy for Consumption * * * Asthma, Croup * * * Pneumonia, and all Acute and Chronic Affections of the Throat and Lungs. * * * It surpasses all cough medicines for consumption," were false and fraudulent in that, by means of said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a remedy for consumption, asthma, croup, pneumonia, and all acute and chronic affections of the throat and lungs; when, in truth and in fact. said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for consumption, asthma, croup, pneumonia, and all acute and chronic affections of the throat and lungs.

On April 6, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915.

4106. Adulteration and misbranding of canned tomatoes. U. S. v. William Miller et al. (Miller Bros. & Co.). Plea of nolo contendere. Fine, \$35. (F. & D. No. 5918. I. S. No. 890-h.)

On December 30, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Miller and Emanuel H. Miller, copartners, trading under the firm name of Miller Bros. & Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 14, 1913, from the State of Maryland into the State of Texas, of a quantity of canned tomatoes which were adulterated and misbranded. The product was labeled: (On wooden cases) "2 Doz. No. 2 Miller Bros. & Co. Jumbo Brand Tomatoes, Baltimore, Md." (On cans) "Jumbo Brand (representation of tomatoes) Tomatoes, Packed by Miller Bros. & Co., Baltimore, Md., U. S. A., Jumbo Brand" (representation of elephant's head).

Examination of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Total solids (per cent)	4.47	4.30
Total sugar after inversion, as invert (per cent)	1.75	1.81
Acids, as citric (per cent)	0.42	0.46
Specific gravity of filtered juice at 15° C	1.0165	

The analysis of this sample indicates that water has been added to the tomatoes.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength; and, further, for the reason that a substance, to wit, water, had been substituted in part for tomatoes which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Tomatoes," borne on the label of the article, was false and misleading in that it purported and represented that the article consisted entirely of tomatoes, whereas, in truth and in fact, said article did not so consist, but consisted of a mixture of tomatoes and water. Misbranding was alleged for the further reason that the article was labeled "Tomatoes" so as to deceive and mislead the purchasers into the belief that it consisted entirely of tomatoes, whereas, in truth and in fact, it did not so consist, but consisted of a mixture of tomatoes and water.

On January 16, 1915, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$35.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915.

4107. Misbranding of "Dr. Emmons' Throat and Lung Healer" and "Tissue Builder." U. S. v. The Dr. Emmons Throat and Lung Healer Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 5919. I. S. Nos. 522-e, 6654-e.)

At the May, 1915, term of the District Court of the United States for the District of Indiana, the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against the Dr. Emmons Throat and Lung Healer Co., a corporation, Richmond, Ind., charging shipment by said defendant company, in violation of the Food and Drugs Act, as amended, on or about September 5, 1912, and February 13, 1913, from the State of Indiana into the State of Michigan, of quantities of "Dr. Emmons' Throat and Lung Healer" and "Tissue Builder" which was mis-The product was labeled: (Label on small bottle) "Dr. Emmons' Throat and Lung Healer. The Great Throat and Lung Remedy. Pour All This Medicine Into the Instrument. Contains not more than 65 per cent Alcohol. Guaranteed under the Food and Drug Act, June 30, 1906. Guarantee No. 18620. Richmond, Ind." (Blown in bottle) "Dr. Emmons' Throat and Lung (Label on inhaler) "Dr. Emmons' Throat and Lung Healer The Great Throat and Lung Remedy Pour All This Medicine Into the Instrument. Contains not more than 65 per cent Alcohol. Guaranteed under the Food and Drug Act, June 30th, 1906. Guarantee No. 18620." (On carton) "Dr. Emmons' Throat and Lung Healer. (Picture of man using inhaler) This cut shows how Dr. Emmons' Throat and Lung Healer can 'get to the spot' or anywhere the breath goes and destroys the germs that damage these parts. Heals all tissue damage. The Medical Wonder of the Age. Richmond, Ind. Dr. Emmons' Throat and Lung Healer. The Great Throat and Lung Remedy. Pour all This Medicine Into the Instrument. Contains not more than 65 per cent Alcohol. Guaranteed under the Food and Drug Act, June 30th, 1906. Guarantee No. 18620." (Label on large bottle) "Dr. Emmons' Tissue Builder. The Tissue Builder tones up the system, causes exceptional nutrition and the extra flesh and strength due to it. The Tissue Builder may be used alone for any below-par, sub-normal, or run-down condition, as it gives one strength and good, sound, firm flesh; but we especially desire in this connection to mention it as an adjunct to the local use of the Throat and Lung Healer, which it materially assists by giving all tissues of the body greater vitality and power to resist the attack of microbes and disease. The Tissue Builder is sold at One Dollar a bottle or Six Bottles for Five Dollars, if ordered at one time. Directions: Take a tablespoon of the Tissue Builder 3 times a day before meals. Dr. Emmons' Throat & Lung Healer Co., Richmond, Ind. Contains not more than 20% Alcohol." (Back of bottle) "Free Sample. Dr. Emmons' Tissue Builder. The Tissue Builder tones up the system, causes exceptional nutrition and the extra flesh and strength due to it. The Tissue Builder may be used alone for any below-par, sub-normal, or run-down condition, as it gives one strength and good, sound, firm flesh; but we especially desire in this connection to mention it as an adjunct to the local use of the Throat and Lung Healer, which it materially assists by giving all tissues of the body greater vitality and power to resist the attack of microbes and disease. The Tissue Builder, large sized Bottles, is sold at one dollar a bottle or six bottles for five dollars, if ordered at one time. Directions: Take a tablespoon of the Tissue Builder 3 times a day, before meals."

Analyses of samples of the products by the Bureau of Chemistry of this department showed the following results:

"Throat and Lung Healer."

Alcohol (per cent)	62.7
Nonvolatile matter (per cent)	31.8
Iodin (per cent)	0.04
Ash (per cent)	0.014
Phenol (per cent)	1.08
Glycerin: Present.	

Product is a hydroalcoholic solution containing iodin (small amount), glycerin, and phenol.

"Tissue Builder."

Alcohol (per cent by volume)	10.35
Nonvolatile matter (per cent)	50. 9
Sugar (per cent)	47
Calcium hypophosphite (per cent)	2.1
Iron, magnesium, aluminium, and nitrates: Traces.	
Proteids: None.	

Product is a hydroalcoholic solution containing calcium hypophosphite and sugar, and traces of magnesium and aluminium salts.

Misbranding of the article shipped September 5, 1912, was charged in the indictment for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On small bottle and carton) "* * * Throat and Lung Healer. The Great Throat and Lung Remedy." "Dr. Emmons' Throat and Lung Healer. * * * " "Dr. Emmons' Throat and Lung Healer can 'get to the spot' or anywhere the breath goes and destroys the germs that damage these parts. Heals all tissue damage. * * * Throat and Lung Healer. The Great Throat and Lung Remedy," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a throat and lung healer and remedy, and effective for destroying germs in the respiratory tract and for healing all tissue damage, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a throat and lung healer or remedy, or effective for destroying germs in the respiratory tract or for healing all tissue damage. Misbranding of the article shipped February 13, 1913, was charged for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "* * * Throat and Lung Healer. The Great Throat and Lung Remedy," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a throat and lung healer and remedy, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a throat and lung healer or remedy.

On May 10, 1915, the defendant company entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

Carl Vrooman, Acting Secretary of Agriculture.

4108. Misbranding of "Angier's Petroleum Emulsion with Hypophosphites." U. S. * * * v. 17 Cases of * * * "Angier's Petroleum Emulsion." Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 5921. I. S. No. 25856-h. S. No. E-105.)

On September 15, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases of a product called "Angier's Petroleum Emulsion," remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been shipped and transported from the State of Massachusetts into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The cases were labeled: (Ends)

"One ${Small \atop Large}$ Doz. Angier Chemical Co. Angier's Soothing Healing Odorless

Tasteless Emulsion, Boston, U. S. A. London, Eng." (Side) "For Throat and Lung Diseases." (Side) "Practically Tasteless." The retail cartons were labeled: "Wrapper adopted July 1, 1912. Angier's Emulsion Petroleum With Hypophosphites (Lime and Soda) Rx 'Emulsio Petrolel with Hypophosphitibus,' (Angier) Indicated in Diseases of the throat and lungs and of the Digestive Apparatus. Useful in General Debility and Wasting Diseases, Especially when due to Faulty Nutrition. The antiseptic properties of the Emulsion particularly adapt it to the treatment of diseases of septic or bacterial origin. The oil is rendered palatable, and the Emulsion is acceptable to the most delicate stomach. Directions inside. Prepared by the Angier Chemical Co., Boston, U. S. A. Great Britain The Angier Chemical Co., Limited, 86 Clarkwell Road, London, E. C. Price \$1.00. In Great Britain 4/6. Keep in Cool Place. Shake Well." (On back of carton) "No. 3071. Guaranteed by the Angier Chemical Co. under the Food and Drugs Act, June 30, 1906. Contains no alcohol or narcotic. Angier's Petroleum Emulsion Healing Soothing Tasteless Odorless (Trade Mark) Registered. This bottle contains 12 Fluid Ounces." The bottles were labeled: "No. 3071 Guaranteed by the Angier Chemical Co. under the Food and Drugs Act, June 30, 1906. Shake the Bottle. Angier's Petroleum Emulsion with Hypophosphites (Lime and Soda) Dose Adults—Two teaspoonfuls four times a day, after meals and at bedtime. The Emulsion may be taken clear or mixed with water, milk, wine, malt or other suitable vehicle. Children—According to age. (See circular) For Coughs and throat troubles it is best to take in smaller and more frequent doses, churning about in the mouth before swallowing so as to obtain the marked local effect upon the nucous surfaces For more detailed directions see inclosed circular. Prepared by the Angier Chemical Co., Boston, U. S. A."

Misbranding of the article was alleged in the libel for the reason that the claims as to the following therapeutic effects, (On carton) "Useful in General Debility and Wasting Diseases, Especially when due to Faulty Nutrition. The antiseptic properties of the Emulsion particularly adapt it to the treatment of diseases of septic or bacterial origin." (Circular) "Angier's Petroleum Emulsion is indicated in affections of the throat, lungs, and intestinal tract—both subacute and chronic. In diseases of the digestive apparatus due to catarrhal, ulcerative or tuberculous conditions, its peculiar soothing, healing and aseptic properties make its use especially beneficial. In Phthisis, particularly in the incipient stage, the Emulsion tends to promptly relieve the distressing cough, night sweats and diarrhea, and to fortify nutrition, thus antagonizing the progress of the disease. In coughs, even the most stubborn, and in Bronchitis or any inflamatory condition of the respiratory tract, its action is most marked.

During convalescence from La Grippe, Typhoid Fever, and other diseases which leave the patient in an exhausted condition, it braces the patient, enables him to combat the ravages of the disease and usually guarantees him freedom from the subsequent exhaustion and sequelæ. It palliates the nervous systems and hastens convalescence," were misleading, false, and fraudulent.

On October 24, 1914, the Angier Chemical Co., Boston, Mass., claimant, filed its answer, and on September 30, 1915, filed its amended claim and answer, and on said date, the case having come on to be heard and having been argued by counsel, and it appearing to the court that the claimant believed that its labels, cartons, and circulars contained no false or misleading statements, and it further appearing that the expense to the claimant of defending the case would be almost prohibitive, and that, for the purpose of saving the expense of a trial, claimant was willing that the product should be condemned, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915. 28466°—16——2 4109. Misbranding of vinegar. U. S. * * * v. 70 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5924. S. No. W-23.)

On September 16, 1914, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 barrels of vinegar, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the product had been shipped, on or about August 29, 1914, by the Hood River Apple Vinegar Co., Hood River, Oreg., and transported from the State of Oregon into the State of California, and charging misbranding in violation of the Food and Drugs Act. Sixty of the barrels were labeled: "Hood River Yellow Newton Brand Pure Cider Vinegar 50 gallons Hood River Apple Vinegar Company, Hood River, Oregon." Ten of the barrels were labeled: "Apple Vinegar Bottling Pure Cider Vinegar 45 grain 49 Gals. Hood River, Oregon."

It was alleged in the libel that the 70 barrels of vinegar were misbranded under the provisions of the Food and Drugs Act, in that said vinegar [barrels] were labeled to contain certain amounts of vinegar, whereas examination revealed that the barrels contained considerably less than the amounts represented on the labels.

On November 6, 1914, the said Hood River Apple Vinegar Co., Hood River, Oreg., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant, upon payment of all the costs of the proceeding and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, one of the conditions being that the vinegar should be properly labeled.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 4, 1915.

4110. Misbranding of "Mrs. Winslow's Soothing Syrup." U. S. v. The Anglo-American Drug Co. Plea of guilty. Fine, \$100. (F. & D. No. 5927. I. S. No. 7953-e.)

On June 12, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Anglo-American Drug Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 15, 1913, from the State of New York into the State of Ohio, of a quantity of "Mrs. Winslow's Soothing Syrup" which was misbranded. The product was labeled: (On wrapper) "Mrs. Winslow's Soothing Syrup. This Bottle Contains Five Per Cent of Alcohol, One-Tenth Grain Morphine Sulphate Per Fluid Ounce, Oil of Aniseed, Carraway, Coriander, Jalap, Senna, Sugar Syrup. For Children Teething. Anglo-American Drug Co. Successors to Curtis & Perkins, 217 Fulton Street, New York. Guaranteed by Anglo-American Drug Co. Under The Food and Drugs Act, June 30, 1906, Serial No. 1098. This new label with the fac simile thus Curtis & Perkins is to guard against counterfeits and imitations. Copyright Secured. Entered according to Act of Congress A. D. 1852 by Curtis & Perkins in the Clerk's Office in the District Court of Maine, Registered United States Patent Office. Made in U. S. A." (On bottle) "Mrs. Winslow's Soothing Syrup." "This Bottle Contains Five Per Cent of Alcohol, One-Tenth Of A Grain Of Morphine Sulphate To Each Fluid Ounce, Oil of Aniseseed, Carraway, Coriander, Jalap, Senna, Sugar Syrup. Anglo-American Drug Company, Proprietors, 215 & 217 Fulton Street, New York, U. S. A. Guaranteed by Anglo-American Drug Co., Under The Food and Drugs Act, June 30th, Serial Number 1098. Directions for Using Mrs. Winslow's Soothing 1906. Syrup. For a Child under one month old, six to ten drops; three months old, half a teaspoonful; six months old and upwards, a teaspoonful three or four times a day. For Diarrhea, repeat the above dose every two hours, until the character of the discharge is changed for the better. N. B. Shake the bottle before using." The pamphlet or circular accompanying the product included, among other things, the following statements: (In English and foreign languages) "Mrs. Winslow's Soothing Syrup for children teething, greatly facilitates the process of teething, by softening the gums, reducing the inflammation will allay all pain and spasmodic action, and is sure to regulate the bowels. Depend upon it, mothers, it will give rest to yourselves and relief and health to your infants. We have put up and sold this article for many years, and can say, in confidence, and truth, of it, what we have been unable to say of any other medicine—never has it failed in a single instance to perfect a cure when used in time * * * This valuable preparation is the prescription of one of the most experienced and skillful nurses in New England, and has been used with never failing success in thousands of cases. It not only relieves the child from pain, but invigorates the stomach and bowels, corrects acidity, and gives tone and energy to the whole system."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (per cent)	54. 4
Sugar, calculated as sucrose (per cent)	52.3
Alcohol (per cent by volume)	3.8
Essential oil, morphine, vegetable extract: Present.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, included in the circular or pamphlet as aforesaid, to wit, (In English and foreign languages) "Mrs. Winslow's Soothing Syrup for children teething * * * is sure to regulate the bowels. Depend upon it, mothers, it will give * * * health to your infants. We have put up and sold this article for many years, and can say, in confidence, and truth * * * never has it failed in a single instance to effect a cure when used in time * * * This valuable preparation * * * has been used with never failing success in thousands of cases * * * It * * * invigorates the stomach and bowels * * * and gives tone and energy to the whole system," were false and fraudulent in that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a cure in every instance, when used in time, of the ailments of teething children, and for regulating and invigorating the bowels and giving tone and energy to the whole system, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure in every instance, or at any stage, of the ailments of teething children, or for regulating or invigorating the bowels or giving tone and energy to the whole system.

On June 29, 1915, the defendant company withdrew its plea of not guilty theretofore entered, and entered a plea of guilty to the information, and on July 2, 1915, the court imposed a fine of \$100.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4111. Adulteration of milk. U. S. v. Albert J. Hunt. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 5940. I. S. No. 1654-h.)

On March 6, 1915, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert J. Hunt, Olathe, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 4, 1913, from the State of Kansas into the State of Missouri, of a quantity of milk which was adulterated. The product was labeled, in part: "A. J. Hunt, 5, Olathe, Kans."

Examination of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Sample No.	Organisms per cc, plain agar.		B. coli group	Streptococci
Bampie No.	25° C.	37° C.		per cc.
$\frac{1}{2}$	18,000,000 21,000,000	15, 000, 000 16, 000, 000	1,000,000 1,000,000	1,000,000 1,000,000

Temperature at time of collection, 21.5° C.

It was alleged in the information that the article was adulterated in that it consisted in whole or in part of a filthy and decomposed animal substance.

On March 18, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4112. Adulteration and misbranding of so-called brandy, cognac type. U. S. v. Gaetano Muratore (General Importing Co.). Plea of guilty. Fine, \$25. (F. & D. No. 5947. I. S. No. 3562-h.)

On June 8, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gaetano Muratore, trading under the name of General Importing Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on September 5, 1913, from the State of New York into the State of Pennsylvania, of a quantity of brandy of cognac type which was adulterated and misbranded. The product was labeled: (Main label) "Ed. Mercier et Cie Brand Cognac Type." (Neck label) (Design of three stars and words) "Ed. Mercier et Cie."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results, expressed as grams per hectoliter, 100 proof alcohol, unless otherwise noted:

Alcohol (per cent by volume)	38. 51
Proof (degrees)	77.0
Solids	110
Total acid as acetic	26.5
Volatile acid as acetic	23.0
Esters as ethyl acetate	16.0
Aldehydes as acetaldehyde	3. 1
Furfural	0.4
Fusel oil as amyl alcohol	5. 7
Total secondaries	51.7

The product consists in part of neutral or rectified spirits, with little, if any, brandy.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an imitation brandy, consisting largely of neutral spirits, had been substituted wholly for brandy of cognac type which the article purported to be.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, to wit, cognac, a brandy made in the Cognac district of France, whereas, in truth and in fact, it was not cognac, a brandy made in the Cognac district of France, but was an imitation brandy, consisting largely of neutral spirits and made in the United States of America. Misbranding was alleged for the further reason that the statement, to wit, "Cognac Type," appearing on the label of the article, regarding the said article and ingredients and substances contained therein, was false and misleading in that it indicated that the said article was a brandy of cognac type, that is, a brandy of the type produced in the Cognac district of France, whereas, in truth and in fact, said article was not a brandy of the cognac type, that is, a brandy of the type produced in the Cognac district of France, but was an imitation brandy, consisting largely of neutral spirits. Misbranding was alleged for the further reason that the article was labeled and branded so as to deceive and mislead the purchaser, being labeled "Cognac Type," thereby indicating that said article was a brandy of cognac type, that is, a brandy of the type produced in the Cognac district of France, whereas, in truth and in fact, said

article was not a brandy of cognac type, that is, a brandy of the type produced in the Cognac district of France, but was an imitation brandy, consisting largely of neutral spirits.

On June 28, 1915, the defendant withdrew his plea of not guilty theretofore entered and entered a plea of guilty to the information, and on July 2, 1915, the court imposed a fine of \$25.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4113. Misbranding of "Dr. King's Royal Germetuer." U. S. v. The Ellis-Lillybeck Drug Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 5966. I. S. No. 7189-e.)

On March 12, 1915, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ellis-Lillybeck Drug Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 15, 1913, from the State of Tennessee into the State of Arkansas, of a quantity of "Dr. King's Royal Germetuer" which was misbranded. The product was labeled: (On carton) "Dr. King's Royal Germetuer For Diseases of the Blood, Stomach, Bowels, Kidneys and Nerves. A Safe Family Medicine Take K. R. G. When All Else Fails. Pleasant To Take As Lemonade Contains No Alcohol Will Freeze at 20 Deg. Dr. King's Royal Germetuer Be Sure To Get The Red White & Blue Label No Other Genuine. Trade Marks Registered In Patent Office, Read The Testimonials On The Circular Enclosed They Testify Most Eloquently To The Good This Wonderful Medicine Has Done Sufferers From Such Diseases As Indigestion, Dyspepsia, Rheumatism, Malaria, Catarrh, LaGrippe, Diarrhea, Neuralgia, Insomnia, And Many Others. Send For Complete Book of Testimonials Directions: Ordinary Dose: Teaspoonful In Half A Glass Of Water For Full Directions See Circular with Each Bottle Ellis-Lillybeck Drug Co. Proprietors Memphis, Tenn., U. S. A. Price \$1.00 Per Bottle New Style Of Wrapper Adopted July 1st 1894 Guaranteed By Ellis-Lillybeck Co., Proprietors, Memphis, Tenn., U. S. A. Under The Food And Drugs Act Of June 30th, 1906. None Genuine Without The Signature of Dr. King, The Discoverer of Germetuer On The Wrapper Thus; C. R. King M. D. Some may ask, how can a single remedy do so many different things? The explanation is simple. It has been clearly proven by the best medical science that most diseases are produced by minute germs, living organisms, that enter the system through the air we breathe, the water we drink, or from contact with other persons or objects. Germetuer is, as its name indicates, a germ destroyer. As such it has no equal. It destroys all disease germs with which it comes in contact and thus removes the cause of trouble. It is very clear that a remedy which can do this will cure those specific forms of disease which are due to the general cause of germ life in the system. This remedy presents an array of testimonials absolutely without parallel in the history of medicine, either as to character or number. It is without doubt the most reliable germ destroyer in existence, and to the extent that the germ theory is correct, King's Royal Germetuer is the remedy. It is no accident, but is the result of fifteen years study of a medical genius." (On bottle) "Dr. King's Royal Germetuer Per diseases of the Blood, Stomach, Kidneys, and Nerves. It has been thoroughly established by the best medical scientists that many of our most virulent diseases are caused by Germs, minute living organisms that enter the system through the air we breathe, the water we drink, or through contact with infected persons. Having entered the system they multiply without number, and ere we are aware of it, we are struck with some terrible disease. For eliminating those germs and restoring the system to its normal healthy condition, Germetuer has never been equalled. Germetuer Is A Germ Destroyer As Such It has No Equal—Directions:—Adult Dose—One teaspoonful to half glass of water, sweetened if desired. Children over five years of age, one-half teaspoonful. Infants one-eighth to one-half teaspoonful. Sold by Druggists and Merchants everywhere. Manufactured Only -By Ellis-Lillybeck Drug Co. Memphis, Tenn. Guaranteed by Ellis-Lillybeck Drug Co., under Food and Drugs Act, June 30,

1906." The pamphlet or circular accompanying the product contained, among other things, the following: "Typhoid fungus, small pox fungus and cholera fungus have been discovered and identified by several eminent physicians, and the same may be said of Epizootic and other diseases. That the ubiquitous microbe is, indeed, a most important factor in all diseases, is no longer a question of doubt. Germetuer kills these microbes and restores the patient to health," "It will also permanently cure indigestion, even if it is a case of long standing." "It purifies the blood and strengthens the system by destroying and driving out the germs, after which by its paramount tonics and building up properties, it assists nature to perform a permanent cure." "It is the best Nerve Tonic and General Invigorator." "It is a positive cure for stomach trouble, such as Indigestion, Dyspepsia, Sick Headache, etc." "It cures Bowel Diseases in old or young, whether of long or short standing." "For Catarrh and Rheumatism, it is more nearly a specific than any other remedy on the market," "For Female Diseases it is all that can be desired—pleasant, safe and unfailing." "It cannot be surpassed as a cure for diseases of the Kidneys and Bladder. It is a great conqueror of Malaria. Cures promptly Swamp Fever, Chagres Fever, Jaundice and all Malarial Troubles."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Sulphuric acid (per cent) 2.02

Hydrogen sulphid: Present.

Water (per cent) (approximately) 98

The product is an aqueous solution of sulphuric acid saturated with hydrogen sulphid.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the cartons aforesaid, to wit, "Dr. King's Royal Germetuer for Diseases of the Blood, Bowels, Stomach, Kidneys and Nerves," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of all diseases of the blood, stomach, bowels, kidneys, and nerves; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of all the diseases of the blood, stomach, bowels, kidneys, or nerves. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label of the cartons aforesaid, to wit, "Germetuer is, as its name indicates, a germ destroyer. As such it has no equal. It destroys all disease germs with which it comes in contact and thus removes the cause of trouble. It is very clear that a remedy which can do this will cure those specific forms of disease which are due to the general cause of germ life in the system," were false and fraudulent, in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the destruction of the disease germs in the human system; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal

agents effective for the destruction of disease germs in the human system. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "Typhoid fungus, small pox fungus and cholera fungus have been discovered and identified by several eminent physicians, and the same may be said of Epizootic and other diseases. That the ubiquitous microbe is, indeed, a most important factor in all diseases, is no longer a question of doubt. Germetuer kills these microbes and restores the patient to health," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for killing the microbes causing typhoid fever, smallpox, and cholera, thereby curing said diseases; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for killing the microbes causing typhoid fever or that causing smallpox or that causing cholera or for curing said diseases thereby. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "It will also permanently cure indigestion, even if it is a case of long standing," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for permanently curing indigestion; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for permanently curing indigestion. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "It purifies the blood and strengthens the system by destroying and driving out the germs, after which by its paramount tonics and building up properties, it assists nature to perform a permanent cure," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for purifying the blood; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for purifying the blood. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid to wit, "For Catarrh * * * * it is more nearly a specific than any other remedy on the market," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of catarrh; when, in truth and in fact, said article was not in whole or in part

composed of, and did not contain, ingredients or medicinal agents effective for the cure of catarrh. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "For Female Diseases it is all that can be desired-pleasant, safe and unfailing," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of all female diseases; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of all or any female diseases. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "It cannot be surpassed as a cure for diseases of the Kidneys and Bladder. It is a great conqueror of Malaria. Cures promptly Swamp Fever, Chagres Fever, Jaundice and all Malarial Troubles," was false and fraudulent in that, by means of the said circular, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of all diseases of the kidneys and bladder, malarial swamp fever, chagres fever, jaundice, and all malarial troubles; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of all or any diseases of the kidneys or bladder, or malaria, or swamp fever, or chagres fever, or jaundice, or all malarial troubles.

On May 21, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4114. Misbranding of "E. K. Thompson's Barosma Compound." U. S. * * * v. The Thompson Medical Co., a corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 5973. I. S. No. 9101-e.)

On September 23, 1915, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Thompson Medical Co., a corporation, Titusville, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 18, 1912, from the State of Pennsylvania into the State of Maryland, of a quantity of "E. K. Thompson's Barosma Compound" which was misbranded. The article was labeled: (On bottle) "E. K. Thompson's Barosma Compound For Backache Liver and Kidney Diseases. Contains Not Over 25% Grain Alcohol. For relieving Pains in the back or side caused by disorders of the Kidneys or Liver. Aids in clearing the urine if cloudy or full of sediment. A remedy for the Liver, Kidneys and Bladder. Recommended for the above and following Diseases and Symptoms. Lumbago, Chronic or Acute Inflammation of Kidneys or Bladder and Ulceration of the same, also Dropsical swellings. relieved many a great sufferer. It assimilates with the food. Aids in correcting Acidity gently stimulates the Stomach, Liver and Kidneys. Directions-One or two teaspoonfuls before or after each meal and at bedtime. If necessary double the dose. It is better taken in water. A sallow complexion, a languid, spiritless state of mind, an exhausted, debilitated condition of the body, diminished vitality and nervousness are often remedied by taking Barosma and Thompson's Dandelion and Mandrake Pills. In Liver complaint, Constipation and when the complexion is sallow, Dandelion and Mandrake Pills should be taken with the Barosma. Guaranteed by the Thompson Medical Co., under the Food and Drugs Act of June 30th, 1906. Serial No. 5782. Distributed by the Thompson Medical Co. 5 & 7 So. Franklin St. Titusville, Pa. Price One Dollar." (Blown in bottle) "E. K. Thompson, Titusville, Pa." (On carton) "E. K. Thompson's (Trade Mark) Barosma Compound for Backache Liver and Kidney Diseases. Contains Not over 25% Grain Alcohol For Treatment of the Liver, Kidneys, and Bladder. A remedy for Chronic or Acute Inflammation of the Kidneys or Bladder and Ulceration of the same, Gravel or Stone in Bladder, Rheumatism, Sciatica, Palpitation of the Heart, Nervous Debility, Non-retention and Dropsy. Some of the symptoms of Kidney, Liver and Bladder diseases are: Thick, Sluggish and Scanty Urine or an unusual Flow. The urine may also be red, stringy or milky with brick dust deposits. Pains in the back or sides. Swelling of the ankles and Dropsy. Irritation of the Bladder with frequent desire to urinate. Palpitation of the Heart. Nervousness, Irritability and Sleeplessness. Rheumatism, Biliousness, Torpid Liver, Constipation, and Sallow Complexion. A bad taste in the morning. A scalding sensation when urinating. From our observation of the great number who have found relief from the above diseases and symptoms by the uses of Barosma and Dandelion and Mandrake Pills, we recommend these remedies to all like sufferers. Guaranteed by the Thompson Medical Co., under the Food and Drugs Act of June 30, 1906, Serial No. 5782. Distributed by The Thompson Medical Company. 5 & 7 So. Franklin St., Titusville, Pa. Price One Dollar. Thompson's Barosma Compound. New Wrapper adopted April 1st, 1911." The circular or pamphlet accompanying the article contained, among other things, the following statements: "Thompson's Barosma Is a Splendid Remedy for the Kidneys, Liver and Bladder; also Rheumatism, Sciatica, Lumbago, Palpitation of the Heart and Nervous Debility."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (per cent)	27.07
Ash, sulphated (per cent)	5.01
Sugars (per cent)	18.4
Potassium bromid (per cent)	3.85
Potassium acetate (per cent)	2.60
Alcohol (per cent by volume)	18.9
Buchu: Present.	

Emodin, iodids, alkaloids: Absent.

The product is a hydroalcoholic solution containing bromid of potassium, acetate of potassium, extract of buchu, and sugar.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "* * * A remedy for Chronic or Acute Inflammation of the Kidneys or Bladder and Ulceration of the same, Gravel or Stone in Bladder, Rheumatism, Sciatica, * * * and Dropsy," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for chronic or acute inflammation of the kidneys or bladder and ulceration of the same, gravel or stone in the bladder, rheumatism, sciatica, and dropsy; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for chronic or acute inflammation of the kidneys or bladder, or ulceration of the same, gravel or stone in the bladder, rheumatism, sciatica, or dropsy. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "Thompson's Barosma Is a Splendid Remedy for * * * Rheumatism, Sciatica," were false and fraudulent in that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a splendid remedy for rheumatism, sciatica; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism or sciatica. Misbranding was alleged for the further reason that the packages of the article bore other statements regarding the therapeutic or curative effects thereof, to wit, "Cured of Bright's Disease. 'I have had no return of the disease in 16 years. I had been troubled with liver and kidney complaint for several years * * * Finally I discovered a white, stringy sediment in my urine * * * I knew then I had Bright's Disease. I began taking Thompson's Barosma at once and three bottles seemed to cure me, but to insure a permanent cure I took three bottles more. Although this was 16 years ago, I have had no bad symptoms since and have been perfectly free from pain," "A Wonderful Cure * 'about 15 years ago I was all run down with nervous prostration and nervous palpitation of the heart * * * A relative of mine who had been troubled with female weakness and nervous prostration and had been cured by

Thompson's Barosma, recommended it to me. I began to take the Barosma at once and was * * * cured of nervous prostration and palpitation of the heart," said statements being incorporated in the circular or pamphlet aforesaid, in manner and form as follows, to wit, "Cured of Bright's Disease. 'I have had no return of the disease in 16 years. I had been troubled with kidney and liver complaint for several years. I suffered with a dull, heavy pain across the back. I had gradually become all run down. A great deal of the time my stomach was filled with gas and I was growing very nervous and was constantly suffering with headache. Finally I discovered a white, stringy sediment in my urine, which frightened me, for I knew then I had Bright's Disease. I began taking Thompson's Barosma at once and three bottles seemed to cure me, but to insure a permanent cure I took three bottles more. Although this was 16 years ago, I have had no bad symptoms since and been perfectly free from pain.'-Frank K. Sturgis, Sturtevant, Crawford Co., Pa.," "A Wonderful Cure. 'Bedridden six months, I am now doing my own housework. About 15 years ago I was all run down with nervous prostration and palpitation of the heart (often getting black in the face and thought to be dying) losing flesh till from 130 pounds my weight was reduced to 93 pounds, and for six months I was confined to my bed. A relative of mine who had been troubled with female weakness and nervous prostration and had been cured by Thompson's Barosma, recommended it to me. I began to take the Barosma at once and was not only cured of nervous prostration and palpitation of the heart, but began to gain in flesh until in a short time I weighed 140 pounds, and from that time on until now I have been perfectly well and doing my own house-work.'-Mrs. Ely M. Marsh, Titusville, Pa.," which said statements were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for Bright's disease and nervous prostration; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure for Bright's disease or nervous prostration.

On September 23, 1915, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4115. Misbranding of "Hill's Freckle Lotion." U. S. * * * v. Fred L. Snow, administrator * * *. Plea of nolo contendere. Fine, \$20. (F. & D. No. 5974. I. S. No. 8060-e.)

On June 30, 1915, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred L. Snow, administrator of the estate of E. H. Snow, deceased, Providence, R. I., alleging shipment by said defendant, on or about December 9, 1912, from the State of Rhode Island into the State of Massachusetts, of a quantity of "Hill's Freckle Lotion" which was misbranded in violation of the Food and Drugs Act, as amended. The article was labeled: (On bottle) "Hill's Freckle Lotion: Removes Moth, Tan, Freckles, Pimples, Ring Worms, and all Eruptions of the Skin. Originally Prepared by J. V. Hill, Providence, R. I. Directions. Apply the lotion every night with a soft sponge (very lightly at first to prevent smarting and roughness, as too much will at first, but never afterwards), letting it dry in, and continue the application till the spots disappear, then once or twice a week is sufficient. If too strong for the skin, reduce with a little water. Price 75 Cents. Sold by Druggists Everywhere. Entered according to act of Congress in the year 1867, by J. V. Hill, in the Clerk's Office for the District of Rhode Island. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial Number 9872." (On back of bottle) "Poison Antidote-Milk lotion has been in constant use for fifty years, and is absolutely harmless when used externally according to directions. This label is requisite to comply with the law. Retailers can attach their own labels with name and address under this."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Mercuric chlorid (grams per 100 cc) ________ 1.34 Ash (gram per 100 cc) _______ 0.004

Misbranding of the article was alleged in the information for the reason that the following statement, appearing on the label aforesaid, to wit, "* * * harmless when used externally according to directions," was false and misleading in that it indicated that said article was composed of harmless ingredients when used externally and according to directions on the label thereof; whereas, in truth and in fact, said article was not composed entirely of harmless ingredients, but was composed in part of mercuric chlorid, a substance harmful and liable to cause injury when used externally and according to directions appearing on the label aforesaid. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, "Removes Moth, Tan, Freckles, Pimples, Ring Worms, and all Eruptions of the Skin," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that said article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the removal of all eruptions of the skin; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the removal of all eruptions of the skin.

On September 15, 1915, the defendant retracted his plea of not guilty, theretofore entered, and entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

CARL VROOMAN, Acting Secretary of Agriculture.

4116. Misbranding of "Knorr's Genuine Hien Fong Essence or Green Drops." U. S. * * * v. Herman Knorr et al. (Knorr Medical Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 5983. I. S. No. 374-e.)

On June 8, 1915, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herman Knorr and Emil Knorr, Detroit, Mich., copartners, trading under the firm name of Knorr Medical Co., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about February 8, 1913, from the State of Michigan into the State of Illinois, of a quantity of "Knorr's Genuine Hien Fong Essence or Green Drops" which was misbranded. The product was labeled: (On bottle) "Knorr's Genuine Hien Fong Essence or Green Drops. (Reg. No. 12393) Contains 70% pure grain Alcohol and 15 Min, U. S. P. Ether per ounce and other Valuable Ingredients. Manufactured only by Knorr Medical Co. 613 14th Ave., Detroit, Michigan. This powerful and refreshing remedy has proved its efficiency and can be highly recommended for diseases of the Stomach and Bowels, Colic, Cholera Morbus, Summer Complaint, Neuralgia, Catarrh, Grippe, Colds, Tonsilitis, Sore Throat, Croup, Diphtheria. If properly and promptly applied at first symptoms of Croup and Diphtheria the patient will be greatly relieved and the progress of these dreadful diseases may be checked. The use of this Essence is very advisable where Diphtheria prevails. Guaranteed by Knorr Medical Co., 613 14th Ave., Detroit, Michigan. Dose * * * (Other writing on label in German.) wrapper around bottle) "Knorr's Genuine Hien Fong Essence or Green Drops. (Reg. No. 12393) Contains 70% pure grain alcohol and 16 min. U. S. P. Ether per ounce and other valuable ingredients. Manufactured only by Knorr Medical Co., 613 14th Ave., Detroit, Michigan. An excellent Remedy for diseases of the Stomach, and Bowels, Colic, Cholera Morbus, Summer Complaint, Neuralgia, Catarrh, Colds, Tonsilitis, Sore Throat, Croup and Diphtheria. (Writing in German.) Price \$1.00. Guaranteed by the Knorr Medical Co., 613 14th Ave., Detroit, Mich." The circular accompanying the product included, among others, the following statements: "For Inflammation and weakness of the Eyes wet your hand with the Essence and hold it over the closed eyes until the burning has ceased and the eyes will be wonderfully benefited." "Dullness of ears, and even deafness, has been relieved and benefited by wearing a little wadding moistened with the Essence, in the ear." "In all diseases of the Stomach, abdomen and disorder of digestion, the Essence is an excellent internal remedy, hardly ever failing to give immediate relief."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	69. 72
Ether (per cent by volume)	0.35
Nonvolatile matter (gram per 100 cc)	0.28
Flavored with oil of spearmint.	
Alkaloids: Absent.	

Misbranding of the article was alleged in the information for the reason that the following statement regarding the therapeutic and curative effects thereof, appearing on the label of the wrapper aforesaid, to wit, "An excellent Remedy for diseases of the Stomach, and Bowels, Colic, Cholera Morbus, Summer Complaint, Neuralgia, Catarrh, Colds, Tonsilitis, Sore Throat, Croup and Diphtheria," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the

minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all diseases of the stomach and bowels, cholera morbus, catarrh, tonsilitis, croup, and diphtheria; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for all diseases of the stomach and bowels, cholera morbus, catarrh, tonsilitis, croup, or diphtheria, Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label of the bottle aforesaid, to wit, "This powerful and refreshing remedy has proved its efficiency and can be highly recommended for diseases of the Stomach and Bowels, Colic, Cholera Morbus, Summer Complaint, Neuralgia, Catarrh, Grippe, Colds, Tonsilitis, Sore Throat, Croup, Diphtheria. If properly and promptly applied at first symptoms of Croup and Diphtheria the patient will be greatly relieved and the progress of these dreadful diseases may be checked. The use of this Essence is very advisable where Diphtheria prevails," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents affective, among other things, for the checking of diphtheria and croup when promptly applied at first symptoms of these disorders; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the checking of diphtheria and croup when applied at first symptoms of these disorders, or at any stage thereof. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular aforesaid, to wit, "For Inflammation and weakness of the Eyes wet your hand with the Essence and hold it over the closed eyes until the burning has ceased and the eyes will be wonderfully benefited," "Dullness of ears, and even deafness, has been relieved and benefited by wearing a little wadding moistened with the Essence in the ear," "In all diseases of the Stomach, abdomen and disorder of digestion, the Essence is an excellent internal remedy, hardly ever failing to give immediate relief," were false and fraudulent in that, by means of the said circular, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for benefiting inflammation and weakness of the eyes, and for relieving deafness, and for remedying and affording immediate relief in all diseases of the stomach and abdomen; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for benefiting inflammation and weakness of the eyes, or for relieving deafness, or for remedying and affording immediate relief in all diseases of the stomach and abdomen.

On June 10, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

28466°-16-3

4117. Adulteration and misbranding of "Republic Sugar Feed." U. S.

* * * v. 200 Sacks of "Republic Sugar Feed." Product ordered
released on bond. (F. & D. No. 5984. I. S. No. 1321-k. S. No. E-130.)

On October S, 1914, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks, each containing 100 pounds of a product known as "Republic Sugar Feed," remaining unsold in the original unbroken packages at Montrose, Pa., alleging that the product had been shipped and transported from the State of Missouri into the State of Pennsylvania, the shipment having been received on or about July 25, 1914, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "100 Pounds Republic Sugar Feed, Manufactured by Republic Milling Company, East St. Louis, Ill. Average Analysis: Protein 16.5%; fat 3%; carbohydrate 56%; Fibre 12%. Composed of Cotton Seed Meal, Malt Sprouts, Oat Clips, Ground Barley and Flax Screenings, Salt and Molasses."

It was alleged in the libel that the product contained a large amount of peanut hulls and ground peanuts, the presence of which was not declared upon the labels or tags and which had been mixed and packed with and substituted for the article in such manner as to reduce and lower and injuriously affect its quality and strength; and that said product was adulterated in violation of section 7, Food and Drugs Act of June 30, 1906, paragraphs 1 and 2 under "Food."

It was further alleged in the libel that the product was labeled to contain 16.5 per cent protein, 3 per cent fat, 12 per cent fiber, whereas examination showed it to contain less protein and fat and more fiber than declared on the said labels or tags; further, that said labels or tags were also misleading in that they purported to announce all the ingredients present, whereas examination showed the article to contain large quantities of peanut hulls and ground peanuts and no malt sprouts; and that the said goods were misbranded in violation of section 8, first general paragraph and paragraph 2 under "Food" of said Act of June 30, 1906. It was further alleged that the brands and labels or tags and representations on the feed sacks were false and misleading and designed to deceive and mislead the purchaser by purporting and representing the contents of the sacks to be of a certain strength or quality, which, in truth and in fact, was not so.

On October 19, 1914, the Harrington Mills, Montrose, Pa., having appeared and asked the court to permit the filing of a bond in the sum of \$300, in accordance with provision 2, section 10 of the Act of June 30, 1906, and that an order be made releasing said product upon the filing of the bond and the payment of the costs of the proceeding, said claimant was permitted to file a bond in the sum of \$300, and it was ordered by the court that, upon payment of the cost of the proceedings, the marshal be directed to release the product to said claimant.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4118. Adulteration and misbranding of imitation vanilla extract. U. S. * * * v. 1 Barrel of Imitation Vanilla Extract. Default decree of condemnation and forfeiture. Product ordered sold. (F, & D, No. 5989. I. S. No. 12511-k, S. No. C-92,)

On October 8, 1914, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel containing 47 gallons, more or less, of imitation vanilla extract, remaining unsold in the original unbroken package at Nashville, Tenn., alleging that the product had been shipped on or about September 12, 1914, and transported from the State of New York into the State of Tennessee, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled; "Compound Vanilla" "Absolutely the best article made for flavoring Caramels, Chocolate Syrups, Cakes, Crackers, etc. Contains Vanillin and Burnt Sugar. Guaranteed under Food and Drug Act, June 30, 1906, Serial No. 2691."

Adulteration of the product was alleged in the libel for the reason that there had been mixed with said product and packed with it a certain substance or substances so as to reduce or lower its quality or strength; and, further, in that coumarin had been substituted in part for an [the] article or product; and, further, in that another substance to wit, coumarin [caramel], was mixed with said product in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the product was labeled "Compound Vanilla," when, in truth and in fact, it was an imitation of another article, to wit, vanilla extract. Misbranding was alleged for the further reason that the package or barrel containing the product was labeled "Compound Vanilla," when in fact said package or barrel contained an imitation vanilla artificially colored so as to deceive or mislead the purchaser.

On May 12, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled "Imitation Vanilla" and so as to plainly show that it contained coumarin, and be sold by the United States marshal.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4119. Misbranding of "S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy." U. S. v. The S. Grover Graham Co. Plea of guilty. Fine, \$25. (F. & D. No. 5992. I. S. No. 369-e.)

On May 21, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the S. Grover Graham Co., a corporation, Newburgh, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 25, 1912, from the State of New York into the State of Illinois, of a quantity of "S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy" which was misbranded. The product was labeled: (On carton) "Copyright secured S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy for Dyspepsia, Heartburn, Gastritis, Waterbrash, Fermentation of Food, Ulceration or Threatened Cancer of the Stomach, and all disorders arising from an impaired digestive system. (Trade Mark) Ais-Pep-Syd (Dyspepsia Reversed) Keep in a Cool and Dark Place. This valuable preparation is offered to the public for the correction and immediate relief of the above diseases The Symptoms of which are burning pain in the stomach with tenderness on pressure, distension and uncomfortable sense of fullness after eating, with belching of wind; gnawing and weak feeling in stomach before meals; coated tongue and foul breath; frequently palpitation of the heart. See literature and testimonials enclosed Directions on bottle. Price One Dollar. Prepared By The S. Grover Graham Co. Incorporated Newburgh, New York. New Style Carton Adopted Feby. 1901." (On back of carton) "Copyright Secured S. Grover Graham Remedy for Dyspepsia and Heartburn (Trade Mark) Ais-Pep-Syd (Dyspepsia Reversed) Guaranteed by the S. Grover Graham Co. Under the Pure Food and Drugs Act, June 30, 1906. Serial No. 205. Alcohol 6%. Hydrochlorate of morphia 7/192nds of a Grain to the ounce. Chloroform 7/12ths of a drop to the ounce. A remedy for Dyspepsia, Heartburn, Gastritis, Fermentation of the Food. Ulceration of or threatened Cancer of the Stomach, and all disorders arising from an impaired Digestive System. The only Alcohol that is contained in this remedy is what is used in making the Essence of Peppermint, and Tincture of Ginger, similar to the proportions used in making Essence of Vanilla and Lemon for domestic purpose. 'Chlorodyne' (without the Cannibis Indica), which has been universally recognized as a family medicine for the past forty years, constitutes the only anodyne entering into this preparation containing, therefore, but 7/192nds of a grain of the Hydrochlorate of Morphia, and 7/12ths of a drop of Pure Chloroform (Chloroform Water used) to the ounce, making in the entirety so small a proportion of either as to render it almost impossible to average intelligently the quantity to the teaspoonful, but being less opiate than is contained in a minimum dose of Paregoric or any family cough medicine. This wonderful remedy has cured and is curing thousands of cases throughout the United States. See enclosed endorsements. Prepared by The S. Grover Graham Co. Incorporated Newburgh, New York, U.S.A. New Style Carton Adopted Feby. 1901." (On sides of carton) "The Great Food Digester Dyspepsia & Heartburn Remedy." (On top flap) "Graham's Butternut Pills for the correction of Habitual Constipation. They act as an Intestinal Tonic. Specially prepared for use with this Remedy. By mail, 25 cents, or at drug store where this bottle was purchased." (On bottle) "S. Grover Graham Remedy for Dyspepsia, Heartburn, Gastritis, Ulceration or Threatened Cancer of the Stomach, and all disorders of Digestive Organs. Guaranteed under the Pure Food and Drug Act June 30th, 1906. Serial No. 205. Alcohol 4%. Hydrochlorate of Morphia 7/192 of a grain to the ounce. Chloroform 7/12 of a drop to the ounce. The only

anodyne used in this preparation is Chlorodyne which has been universally recognized as a family medicine for the past forty years, containing in this Dyspepsia Remedy but 7/192ds of a grain of Hydrochlorate of Morphia and 7/12ths of a drop of pure Chloroform (Chloroform Water used) to the ounce, and constituting less opiate than is contained in a small dose of paregoric or many family medicines. Directions: First shake the bottle thoroughly until the powder that is precipitated at the bottom of the bottle is well mixed. Then take a large tablespoonful of the mixture after meals, three times a day. The best results are obtained by delaying, when possible, the taking of the remedy one hour after meals, or when unpleasant symptoms commence to manifest themselves. A little water may be added if so desired. If the Dyspepsia pains or Heartburn is present or threatens at any time during the day or night, a dose should be taken. Patients may commence on smaller dose if stomach is For full directions, as to diet, etc, etc, etc, see enclosed circular. Keep bottle well corked. Prepared by The Grover Graham Co., Newburgh, N. Y." (Blown in bottle) "S. Grover Graham Dyspepsia Remedy Newburgh, N. Y. U. S. A." The pamphlet or circular accompanying the product contained, among other things, the following statements: "From all parts of the United States come hundreds of unsolicited testimonials, verifying the claim made that the Grover Graham Dyspepsia Remedy, prepared from the McDermott European formula, is beyond dispute or contradiction a remedy for all forms of Stomach disorder, no matter how chronic or severe it may be. A brief review of the many letters published in this periodical will demonstrate that there have been a great many other persons cured by our preparation in Paterson, and undoubtedly there are many cases that we have not heard from. Its beneficial effect is immediate, and relief instantaneous and when it is convenient the 'Old Dyspeptic' can bid defiance to fear and hesitancy when a good dinner is placed before him." "'I feel that I would not do you justice if I did not tell you what your Dyspepsia Remedy had done for me. In January, four years ago, was taken with a dull pain in my heart, and shortness of breath, and had the best doctors with me that could be got. They pronounced my case Heart Trouble and said it was only a question of time how long I would live as there was no cure for my disease, but they did all they could for me. My life was a burden to me, but in June I saw an advertisement in the Leaf Chronicle, published in Clarksville, Tenn., concerning your Dyspepsia Remedy, and I got a 50c bottle, and was greatly relieved of my trouble before I had taken it all up. I finished two more bottles, and was a new man. I shall praise your Dyspepsia Remedy as long as I live, and I have not had any trouble with my heart for three months, and I feel almost assured that I am all right. I want all to know what your medicine did for me.'-W. T. Vaughn, Indian Mound, Tenn." "'I am a Spanish War veteran, and suffered for years with what the doctors called Cancer of the Stomach, and kept all the time taking drugs ordered by the doctors, and then started to take every kind of medicine that was on the market for Dyspepsia but everything I tried did not do me any good. One day I heard of your remedy and I thought I would try it because I tried everything that I heard of for Dyspepsia, and to my surprise I found I was getting better. If you had seen me before I began taking S. G. G. Remedy, and had noticed the sunken eyes, sallow complexion and general emaciation, and compared that person with me as I am to-day, robust, hearty and well, you would not wonder that I feel thankful to you and your wonderful medicine, which restored me to new life and health, and saved me from an awful operation. I am well known and popular in Brooklyn for the past twenty-eight years.'—John M. Mills, 92 Wykoff

St., Brooklyn, N. Y." "A druggist from Virginia writes, 'I could have more confidence in your remedy for Dyspepsia (it is a good seller) if you did not claim that it would cure Cancer of the stomach, which is an impossibility.' We make no such claim, our literature states 'Threatened Cancer of the Stomach.' There are undoubtedly a number of cases of stomach disorder so severe in their character as to be diagnosed Cancer by the doctors in attendance. Included in our list of testimonials will be found a number who state that their physician said they had Cancer of the Stomach, and were actually cured by our preparation. We believe, however, that owing to the wonderful soothing qualities of our remedy, it will prove more beneficial than any other preparation in such cases, and lengthen the life of the person so afflicted. The proprietors do claim that their preparation is a remedy for all diseases arising from a disordered stomach. Until its introduction dyspepsia and kindred ailments baffled the skill of all physicians."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (per cent)	15. 58
Ash (per cent)	8.37
Sodium bromid (per cent)	2
Sodium bicarbonate (per cent)	6.71
Magnesium carbonate (per cent)	2.17
Sugar (per cent)	4, 27
Chloroform (minims per fluid ounce)	22
Alcohol (per cent by volume)	2,54
Morphine, oil of peppermint: Present.	
Calcium and potassium salts: Present.	

Pepsin: Absent.

The remainder of the product is water.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "* * * Remedy for * * * Gastritis, * * * Ulceration or Threatened Cancer of the Stomach, and all disorders arising from an impaired digestive system. * * * This valuable preparation is offered to the public for the correction and immediate relief of the above diseases * * * The Great Food Digester * * * " (On bottle) "* * * Remedy for * * * Gastritis, Ulceration or Threatened Cancer of the Stomach, and all disorders of Digestive Organs," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for gastritis, ulceration, or threatened cancer of the stomach and all disorders arising from an impaired digestive system, and effective as a food digester; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for gastritis, ulceration, or threatened cancer of the stomach, or all disorders arising from an impaired digestive system, or effective as a food digester. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of said article, included in the circular or pamphlet aforesaid, to wit, "From

all parts of the United States come hundreds of unsolicited testimonials, verifying the claim made that the Grover Graham Dyspepsia Remedy, prepared from the McDermott European formula, is beyond dispute or contradiction a remedy for all forms of Stomach disorder, no matter how chronic or severe it may be. A brief review of the many letters published in this periodical will demonstrate that there have been a great many other persons cured by our preparation in Paterson, and undoubtedly there are many cases that we have not heard from. Its beneficial effect is immediate, and relief instantaneous and when it is convenient the 'Old Dyspeptic' can bid defiance to fear and hesitancy when a good dinner is placed before him. A druggist from Virginia writes, 'I could have more confidence in your remedy for Dyspepsia (it is a good seller) if you did not claim that it would cure Cancer of the stomach, which is an impossibility.' We make no such claim, our literature states 'Threatened Cancer of the Stomach.' There are undoubtedly a number of cases of stomach disorder so severe in their character as to be diagnosed Cancer by the doctors in attendance. Included in our list of testimonials will be found a number who state that their physician said they had Cancer of the Stomach, and were actually cured by our preparation. We believe, however, that owing to the wonderful soothing qualities of our remedy, it will prove more beneficial than any other preparation in such cases, and lengthen the life of the person so afflicted. The proprietors do claim that their preparation is a remedy for all diseases arising from a disordered stomach. Until its introduction dyspepsia and kindred ailments baffled the skill of all physicians," were false and fradulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all forms of stomach disorder, no matter how chronic or severe it may be, and effective for preventing threatened cancer of the stomach, and effective for giving relief in cases of cancer of the stomach and lengthening the life of the person so afflicted, and effective as a remedy for all diseases arising from a disordered stomach; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all forms of stomach disorder, or effective for preventing threatened cancer of the stomach, or effective for giving relief in cases of cancer of the stomach and lengthening the life of the person so afflicted, or effective as a remedy for all diseases arising from a disordered stomach. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of said article, included in the circular or pamphlet aforesaid, to wit, "I am a Spanish War veteran, and suffered for years with what the doctors called Cancer of the Stomch, and kept all the time taking drugs ordered by the doctors, and then started to take every kind of medicine that was on the market for Dyspepsia but everything I tried did not do me any good. One day I heard of your remedy and I thought I would try it because I tried everything that I heard of for Dyspepsia, and to my surprise I found I was getting better. If you had seen me before I began taking S. G. G. Remedy, and had noticed the sunken eyes, sallow complexion and general emaciation, and compared that person with me as I am to-day, robust, hearty and well, you would not wonder that I feel thankful to you and your wonderful medicine, which restored me to new life and health, and saved me from an awful operation. I am well known and popular in Brooklyn for the past twenty-eight years. John M. Mills, 92 Wykoff St., Brooklyn, N. Y.," were false and fradulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the relief of cancer of the stomach; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the relief of cancer of the stomach.

On May 26, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

Carl Vrooman, Acting Secretary of Agriculture.

Washington, D. C., December 20, 1915.

4120. Misbranding of "Johnston's Iodized Extract of Sarsaparilla." U. S.

* * * v. The Michigan Drug Co., a corporation. Plea of guilty.
Fine, \$50.1 (F. & D. No. 6008. I. S. No. 7121-e.)

On June 10, 1915, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Michigan Drug Co., a corporation, Detroit, Mich., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 3, 1913, from the State of Michigan into the State of Tennessee, of a quantity of "Johnston's Iodized Extract of Sarsaparilla" which was misbranded. The product was labeled; (On bottle) "Used all the Year Round Johnston's Iodized Extract of Sarsaparilla Percentage of Alcohol 16 Is acknowledged to be the best and most reliable preparation now prepared for Liver Complaint and for Purifying the Blood. This preparation is compounded with great care from the best selected Honduras Sarsaparilla, Yellow Dock, Stillingia, Dandelion, Wild Cherry, and other Valuable Remedies. Held in high estimation as a remedy for the following diseases Scrofula, Salt Rheum, Scald Head, Ring Worm, Scurvy, Cutaneous Eruption, Boils, Pimples, Bilious and Pulmonary Diseases, Erysipelas, Jaundice, Liver Complaint, Pain in Back or Breast, Coughs or Colds, Bronchial Affections, Asthma, Dyspepsia or Indigestion, Heartburn, Loss of Appetite, Costiveness. Nervous and Mercurial Diseases, General Debility, Etc., Etc. This valuable preparation has been in use for a number of years, and has proved itself to be one of the best preparations of Sarsaparilla ever offered to the public, and there can be no better evidence of its efficiency than its constantly increasing reputation. It combines power with mildness of action; it does not gripe or debilitate the patient. It excites the stomach, liver and bowels to a healthy action; it strengthens the digestive organs and improves the appetite; it removes obstruction from the liver, and thus cleanses and purifies the blood. This Extract is prescribed daily by our best physicians. It contains no mercury but is entirely vegetable. It is very palatable, and can be taken by delicate females and children with perfect safety. It is not designed as a secret or quack cure-all, but is a compound containing all the virtues of Sarsaparilla, the receipt of which can be seen by any physician on calling at our store. Directions: The dose for an adult is from one to two teaspoonfuls three times a day, half an hour before or an hour after eating, as may best agree with the stomach. If the patient is weak, and an unpleasant effect is produced, the dose may be diminished until it becomes agreeable. Children from one to three years, a half teaspoonful may be given three times a day as above. In all cases, enough should be taken to keep the bowels regular. Guaranteed by Michigan Drug Co. under the Food and Drugs Act, June 30, 1906. Serial No. 357. Prepared only by The Michigan Drug Co. Chemists Detroit, Mich. Entered according to Act of Congress in the year 1864, in the Clerk's Office of the District Court for the Eastern District of Michigan." (On back of bottle) "Safe for Old and Young Please Read the following: Mrs. Emeline Griffin of Fenton, Mich, says: 'Several years ago my blood was in a state of great disorder, I was terribly afflicted with boils, pimples and blotches on my skin; my flesh when cut or bruised, was very slow to heal. I grew thin in flesh, my appetite was very poor. I was greatly troubled with sleeplessness. I was very nervous all the time. My stomach troubled me a great deal. I felt worn out * * * fit for nothing. What I ate would ferment in my stomach and my tongue was coated so much that I thought nothing would ever remove it. I tried a great many doctors, and took

¹This, and the following notices of judgment, (Nos. 4120 to 4150, inclusive), were approved by the Acting Secretary of Agriculture, Washington, D. C., April 1, 1916.

a good many different medicines, but I received no benefit whatever, until finally a friend who had been afflicted like me advised me to try Johnston's Sarsaparilla. I took several bottles, and was completely cured from all my troubles. I have used it in my family ever since, and have recommended it to all my friends, and shall continue to do so. I think it the very best blood medicine ever made.' Caution: Beware of Imitations: Be sure and ask for Johnston's Iodized Extract of Sarsaparilla and take no other. If an interested vendor, who has his own individual profit at heart more than your health or the health of your family, urges you to buy his own or some other preparation bearing the name of Sarsaparilla, and on which by telling that it is as good as this he could make a little more money don't be persuaded to take any other than that manufactured by The Michigan Drug Co." (On carton) "Johnston's Sarsaparilla This article contains not in excess of 16% absolute alcohol by volume. Guaranteed by Michigan Drug Co. under the Food and Drugs Act, June 30, 1906. Serial No. 357." (On sides of carton) "Johnston's Sarsaparilla For 40 years known as an excellent remedy for Rheumatism, Scrofula, Liver Complaint, and all Skin Diseases A Great Blood Purifier Held in high estimation as a remedy for the following diseases Scrofula, Salt Rheum, Scald Head, Ring Worm, Scurvy, Cutaneous Eruption, Boils, Pimples, Bilious and Pulmonary Diseases, Erysipelas, Jaundice, Liver Complaint, Pain in the Back or Breast, Coughs or Colds, Bronchial Affections, Asthma, Dyspepsia or Indigestion, Heartburn, Loss of Appetite, Costiveness, Nervous and Mercurial Diseases, General Debility, Etc. Prepared only by The Michigan Drug Co., Chemists, 26 to 38 Congress St. E. Detroit." The booklet accompanying the product included, among others, the following statements: "There is only one scientific method for the cure of blood taint. That is, Purification! Every particle of the blood must be removed through the excretory channels, the lungs, kidneys, bowels, liver and skin. 'First, pure, then peaceable.' The great restorative, reconstructive and vitalizer of the blood. Johnston's Sarsaparilla (quart bottles), not only radically and exhaustively removes the taint, but also removes all mercury, calomel and other minerals, and fills the veins and arteries with the ruby, glowing current of vitality." "Johnston's Sarsaparilla (quart bottles), the great Blood Purifier and Nerve Tonic, cures diseases by removing from the system the conditions which produce them. It expels all poisons and impurity from the blood. It acts upon the nerves as a stimulant, particularly upon those nerves belonging to the great organs of the body; therefore, it causes the heart to beat with greater force, the lungs to take in more oxygen and to expel more carbonic acid; it induces the kidneys to send off more of the poisonous excretions from the blood; the bowels to have more regularity and healthfulness in their action, the sweat glands to throw out more impurities. In this way Johnston's Sarsaparilla, the great health-winner and strengthbringer, destroys the diseased conditions under which the blood and the system become morbid and vitiated." "That 'tired feeling,' those 'sinking spells,' the languor and despondency which arise from badly nourished nerves, from thin, vitiated blood and an underfed body, vanish as if by a magic spell. The weariness, lassitude and nervous prostration which accompanies the springtime and the heat of summer are conquered and banished at once. For every form of neurasthenia, and all ailments of the brain and nerve, insomnia, hysteria and nervousness generally, it is almost a specific. It furnishes the very elements to rebuild worn-out nerve tissues. It feeds brain, nerve centers and nerves, calming and equalizing their action; it makes rich red, honest blood. Newness of life, new hope, new strength follow its faithful use. It makes the weak strong, and the old young again." "Thousands of people have found in Johnston's Sarsaparilla a positive and permanent cure for Rheumatism." "But it is more astonishing when an almost complete specific lies at their very doors, obtainable of every druggist in the country—the infallible anti-rheumatic remedy, Johnston's Sarsaparilla." "Indigestion—Dyspepsia * * * Johnston's Sarsaparilla is a cure." "Johnston's Sarsaparilla makes it absolutely impossible for these diseases to exist, and is as sure to benefit a weak, run down stomach as oil is sure to benefit an old rusty engine." "There is no medicine like it. It has cured the most obstinate cases of scrofula, rheumatism, nervous prostration, catarrh, insomnia and all other diseases due to impoverished or impure blood." "Johnston's Sarsaparilla (quart bottles) is an infallible cure for neuralgia, nervous exhaustion, nervous prostration, nervous debility, nervousness and all kindred disorders." "It is a sure, quick and certain cure for every disorder of the nervous system, and is proved to be such by thousands of the worst cases, in which the restoration to perfect health has been speedy and complete." "The testimony here given is one of many to the same point, viz.: That asthma can be cured, and that Johnston's Sarsaparilla (quart bottles) is the cure for it." "But the use of Johnston's Sarsaparilla by specialists in the treatment of asthma, and the fact that large orders from them are constantly being received, go to prove beyond a shadow of doubt that a radical and permanent cure for asthma has been discovered in Johnston's Sarsaparilla." "Painful and Suppressed Menses, Irregularity, Leucorrhea, Whites, Sterility, Ulceration of the Uterus, change of life in matron or maid, all find relief, help, benefit and cure in Johnston's Sarsaparilla. It is a real panacea for all pain or headache about the top or back of the head; distressing pain in the left side, a disturbed condition of digestion, palpitation of the heart, cold hands and feet, nervousness and irritation, sleeplessness, muscular weakness, bearing-down pains, backache, legache, irregular action of the heart, shortness of breath, abnormal discharges, with extremely painful menstruation, scalding of urine, swelling of feet, soreness of the breasts, neuralgia, uterine displacement and catarrh, and all those symptoms and troubles which make the average woman's life so miserable."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Emodin: Present.

Nonvolatile matter (per cent)	22, 32
Sugar (invert) (per cent)	20.00
Alcohol (per cent)	12.4
Potassium iodid (per cent) less than	0.7
Alkaloids: None.	

Sarsaparilla and dandelion: Indicated.

A simple vegetable preparation with only an appreciable amount of potassium iodid; alcohol and water used as a solvent.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, "* * * a remedy for the following diseases Scrofula, * * * Erysipelas * * * Asthma * * *," "* * * an excellent remedy for Rheumatism, Scrofula * * * and all Skin Diseases * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for scrofula, erysipelas, asthma, rheumatism, and all skin diseases; when, in truth and in fact, said article was

not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for scrofula, erysipelas, asthma, rheumatism, or all skin diseases. Misbranding of the article was alleged for the further reason that the following statements regarding the therapeutic or curative effects thereof, included in the booklet aforesaid, to wit, "* * * the languor and despondency which arise from badly nourished nerves, from thin, vitiated blood and an underfed body, vanish as if by a magic spell. * * * For every form of neurasthenia, and all ailments of the brain and nerve, insomnia, hysteria and nervousness generally, it is almost a specific. It furnishes the very elements to rebuild worn-out nerve tissues. It feeds brain, nerve centers and nerves, calming and equalizing their action; it makes rich red, honest blood. * * * It makes the weak strong, and the old young again," "* * * Johnston's Sarsaparilla a positive and permanent cure for Rheumatism * * * the infallible anti-rheumatic remedy, Johnston's Sarsaparilla," "It has cured the most obstinate cases of scrofula, rheumatism, nervous prostration, catarrh, insomnia and all other diseases due to impoverished or impure blood," "Johnston's Sarsaparilla * * * is an infallible cure for neuralgia, nervous exhaustion, nervous prostration, * * *." "* * * asthma can be cured * * * and that Johnston's Sarsaparilla * * * is the cure for it. * * * beyond a shadow of doubt that a radical and permanent cure for asthma has been discovered in Johnston's Sarsaparilla," "Painful and Suppressed Menses, * * * Leucorrhea, Whites, Sterility, Ulceration of the Uterus, * * * all find relief, help, benefit and cure in Johnston's Sarsaparilla. It is a real panacea for all pain or headache about the top or back of the head, distressing pain in the left side, a disturbed condition of digestion, palpitation of the heart, * * * sleeplessness, * * * bearing-down pains, * * * irregular action of the heart, shortness of breath, * * * neuralgia, uterine displacement and catarrh, * * *" were false and fraudulent in this, that, by means of the said booklet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as almost a specific for every form of neurasthenia and all ailments of the brain or nerves and effective as a positive and permanent cure for rheumatism, and effective as a cure for scrofula, rheumatism, catarrh, and all diseases due to impoverished or impure blood, and effective as an infallible cure for neuralgia, nervous exhaustion, nervous prostration, and effective as a radical and permanent cure for asthma, and effective for the cure of painful and suppressed menses, leucorrhea, whites, sterility, and ulceration of the uterus, and effective as a real panacea for all pain or headache about the top or back of the head, distressing pain in the left side, a disturbed condition of digestion, palpitation of the heart, sleeplessness, bearing-down pains, irregular action of the heart, shortness of breath, neuralgia, uterine displacement, and catarrh; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as almost a specific for every form of neurasthenia or all ailments of the brain or nerves, or effective as a cure for rheumatism, or effective as a cure for scrofula, rheumatism, catarrh, or all diseases due to impoverished or impure blood, or effective as a cure for neuralgia, nervous exhaustion, or nervous prostration, or effective as a cure for asthma, or effective for the cure of painful and suppressed menses, leucorrhea, whites, sterility, or ulceration of the uterus, or effective as a panacea for all pain or headache

about the top or back of the head, distressing pain in the left side, a disturbed condition of digestion, palpitation of the heart, sleeplessness, bearing-down pains, irregular action of the heart, shortness of breath, neuralgia, uterine displacement, or catarrh. Misbranding of the article was alleged for the further reason that its package bore other statements regarding the therapeutic or curative effects thereof, to wit, "Blood Poison Cured by Johnston's Sarsaparilla. * * * I began using Johnston's Sarsaparilla for Blood Poison, caused by an amputation of one of my arms. I had seven running sores on my legs. I used two bottles and was entirely cured. I know it is what cured me," said statements being incorporated in the booklet aforesaid in manner and form as follows, to wit, "Blood Poison Cured by Johnston's Sarsaparilla. Byron, Mich., October 31, 1894. Williams, Davis, Brooks & Co., Detroit: Gentlemen—In April last I began using Johnston's Sarsaparilla for Blood Poison, caused by an amputation of one of my arms. I had seven running sores on my legs. I used two bottles and was entirely cured. I know it is what cured me. Yours truly, G. W. Lutner," which said statements were false and fraudulent in that, by means of the said booklet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the cure of blood poisoning; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of blood poisoning.

On June 14, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, Acting Secretary of Agriculture.

4121. Adulteration and misbranding of "California Sparkling Burgundy,"
"Sparkling Burgundy Type." U. S. v. California Wine & Cordial
Co. Plea of guilty. Fine, \$25. (F. & D. 6037, I. S. No. 5397-e.)

On January 29, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the California Wine & Cordial Co., a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 7, 1912, from the State of California into the State of Arizona, of a quantity of "California Sparkling Burgundy," "Sparkling Burgundy Type" which was adulterated and misbranded. The product was labeled: (On bottle) "CW&CCo. Buena Vista California Sparkling Burgundy California Wine & Cordial Co. San Francisco. California, U. S. A." (On neck) "Sparkling Burgundy Type." (On cap) "Extra Dry."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was a carbonated California claret, rather high in volatile acid and with a cork taste. The bottle showed a light deposit with no yeast. It had good pressure.

Adulteration of the product was alleged in the information for the reason that an artificially carbonated wine of claret type had been substituted wholly for "California Sparkling Burgundy," "Sparkling Burgundy Type" which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "California Sparkling Burgundy," borne on the labels attached to the bottles, was false and misleading in that it purported and represented that the article was a domestic wine possessing the necessary characteristics of sparkling burgundy, to wit, a wine naturally fermented in the bottle, whereas, in truth and in fact, it was not a wine naturally fermented in the bottle, but was an artificially carbonated wine; further, for the reason that the statement, to wit, "California Sparkling Burgundy," borne on the label, was calculated to deceive and mislead the purchaser into the belief that the article was a domestic wine possessing the necessary characteristics of sparkling burgundy, to wit, a wine naturally fermented in the bottle, whereas, in truth and in fact, it was not a wine naturally fermented in the bottle, but was an artificially carbonated wine; further, for the reason that the statement, to wit, "Sparkling Burgundy Type", borne on the label attached to the neck of said bottles, was false and misleading in that it purported and represented that the article was a wine resembling sparkling burgundy and a type thereof, whereas, in truth and in fact, said article did not resemble sparkling burgundy, and was not a type thereof, but was an artificially carbonated wine of the claret type; further, for the reason that the statement, to wit, "Sparkling Burgundy Type," borne on the label attached to the neck of said bottles, was calculated to deceive and mislead the purchaser into the belief that it was a wine resembling sparkling burgundy and a type thereof, whereas, in truth and in fact, said article did not resemble sparkling burgundy, and was not a type thereof, but was an artificially carbonated wine of the claret type.

On June 12, 1915, the defendant company entered its plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, Acting Secretary of Agriculture.

4122. Adulteration of evaporated apples. U. S. * * * v. 50 Boxes * * * of Evaporated Appxes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6039, I. S. No. 11525-k. S. No. C-107.)

On October 27, 1914, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes, each containing about 50 pounds of evaporated apples, remaining unsold in the original unbroken packages at Palestine, Tex., alleging that the product had been shipped and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The product was labeled, in part: "Fancy Evaporated Apples. New Crop. * * * Bleached with sulphur. Preserved with one-tenth of one percent of Benzoate of Soda."

Adulteration of the article was alleged in the libel for the reason that 15 per cent of water was added to the apples after drying, when the goods were packed in such manner as to reduce and lower the quality and strength of the said food product.

On May 5, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

Carl Vrooman, Acting Secretary of Agriculture.

4123. Misbranding of "Kinmonth's Diphtheria & Sore Throat Specific."
U. S. v. Hugh S. Kinmonth. Plea of guilty. Fine, \$25. (F. & D. No. 6049; I. S. No. 7745-e.)

On June 22, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hugh S. Kinmonth, Asbury Park, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 23, 1912, from the State of New Jersey into the State of New York, of a quantity of "Kinmonth's Diphtheria & Sore Throat Specific" which was misbranded. The product was labeled: (On carton) "Kinmonth's Diphtheria & Sore Throat Specific Contains 4% Alcohol by volume. Guaranteed by H. S. Kinmonth under the Food and Drugs Act, June 30, 1906. Serial No. 4363. For the Relief of Diphtheria, Sore Throat, Quinsy, Enlarged or Inflamed Tonsils, Ulcerated Mouth, Hoarseness and all the various forms of Throat Diseases. No medicine has given greater satisfaction, or met with greater success in the treatment of Diphtheria and Sore Throat. Physicians are using it in preference to all other remedies. It leaves no injurious effects on the system and can be taken by the most delicate and feeble. Directions Inside. Price 25 Cents. Proprietor H. S. Kinmonth, M. D. Asbury Park, N. J. Registered in the U. S. Patent Office." (On back of carton) "If you are troubled with Asthma or have a friend a sufferer from this disease, send for a trial or sample bottle of Kinmonth's Asthma Remedy. I will mail it to you free of charge. H. S. Kinmonth, M. D. Asbury Park New Jersey." (On sides of carton) "This Specific is being used with marked success in the treatment of Diphtheria and Sore Throat throughout the various States and Territories of the Union." (On bottle) "Kinmonth's Diphtheria and Sore Throat Specific Contains 4 per cent of Alcohol by Volume Guaranteed by H. S. Kinmonth under the Food and Drugs Act, June 30, 1906. Serial No. 4363. Directions: Dose for adults, 2 to 3 teaspoonfuls in half wineglass of sweetened water; 2 hours apart. Dose for children, from 1 to 10 years of age, $\frac{1}{2}$ to 2 teaspoonfuls in sweetened water, 2 hours apart; or may be given in smaller doses at shorter intervals. Those old enough should gargle the throat with a small portion of the medicine in a teaspoonful of water, 1 to 2 hours apart. In the early stages of diphtheria the medicine should be given night and day until the patient is cured, when it should be given 3 or 4 times a day for a week or two. In severe cases of diphtheria a glassful of milk punch or eggnog should be given every four hours. Milk, beef tea and soups should be given liberally. If the medicine is taken in the earliest stages, it is almost sure to arrest quinsy. Persons suffering from hoarseness, swollen tonsils and dryness of the throat, will obtain great relief by taking 4 or 5 doses during the day; also by gargling the throat 4 or 5 times daily with a small quantity of the Specific. For children it is often necessary to make the medicine very sweet with sugar. Should the ordinary dose cause vomiting, reduce the dose to suit the case. Keep well corked where it will not freeze. Price 25 Cents Proprietor and Manufacturer H. S. Kinmonth, M. D. Asbury Park, N. J." (Blown in bottle) "Diphtheria & Sore Throat Specific H. S. Kinmonth, M. D. Asbury Park, N. J." The circular or pamphlet accompanying the product included, among other things, the following statement: " * * * The only medicine * * that can be relied upon to relieve diphtheria and other forms of sore throat."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed this preparation to be essentially a dilute alcoholic solution of férric chlorid and potassium chlorate; it contained 3.33 per cent by volume of alcohol.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "For the Relief of Diphtheria * * * Enlarged * * * Tonsils * * * and all the various forms of Throat Diseases. No medicine has given greater satisfaction, or met with greater success in the treatment of Diphtheria * * *," "This Specific is being used with marked success in the treatment of Diphtheria and Sore Throat," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a relief for diphtheria, enlarged tonsils, and all the various forms of throat diseases, and effective as a specific for the treatment of diphtheria and sore throat; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a relief for diphtheria, enlarged tonsils, or all the various forms of throat diseases, or effective as a specific for the treatment of diphtheria or sore throat. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "* * * The only medicine * * * that can be relied upon to relieve diphtheria and other forms of sore throat," was false and fradulent in that, by means of said circular or pamphlet, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief of diphtheria and other forms of sore throat; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the relief of diphtheria or other forms of sore throat. Misbranding was alleged for the further reason that the following statement, to wit, "It leaves no injurious effects on the system and can be taken by the most delicate and feeble," was false and misleading in that it purported and represented that said article of drugs was not injurious in its effect on the system and could be taken with safety by the most delicate and feeble; whereas, in truth and in fact, said article contained a deleterious substance, to wit, chlorate of potash, a drug, which rendered said article injurious in its effect on the system, and, therefore, could not be taken with safety by the most delicate and feeble.

On July 6, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

Carl Vrooman, Acting Secretary of Agriculture.

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4124. Misbranding of "Ballard's Wonderful Golden Oil." U. S. * * * v. Isaac A. Ballard * * * (Ballard Golden Oil Co.). Plea of nolo contendere. Fine, \$10. (F. & D. No. 6050. I. S. No. 8069-e.)

On June 23, 1915, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Isaac A. Ballard, trading under the name of the Ballard Golden Oil Co., Oldtown, Me., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 29, 1913, from the State of Maine into the State of Massachusetts, of a quantity of "Ballard's Wonderful Golden Oil" which was misbranded. The article was labeled: (On wrapper) "Ballard's Wonderful Golden Oil Free from Opiates and Alcohol For Internal and External Use Guaranteed under the Food and Drugs Act, June 30, 1906. No. 8845. Beware of Imitations. Price 50 Cents. Be sure that you get Ballard's Manufactured only by Ballard Golden Oil Co. Old Town, Me." (On sides of wrapper) "Ballard's Wonderful Golden Oil Has been on the market for many years, and has never failed to give perfect satisfaction. An "old stand-by" in homes, shops, factories and with lumbermen. The most economical. The kind that cures. Physicians rely on it, Mothers depend on it, and thousands praise it. So great is our faith in its marvelous power to cure that we cheerfully refund your money if it does not do all we claim. Directions inside. Ballard's Wonderful Golden Oil An ever reliable Remedy for Coughs, Colds, Croup, Asthma, Hoarseness, Sore Throat, Pneumonia, Bronchitis, Colic, Catarrh, Salt Rheum, Cholera Morbus, Rheumatism, La Grippe, Sciatica, Lame Back, Chilblains, Frost Bites, Burns, Fresh Wounds, Sprains, Neuralgia, Old Sores, Erysipelas, Bruises, Whooping Cough, and it cures all Throat and Lung Diseases. On sugar pleasant to take, Directions inside." (On bottle) "Ballard's Golden Oil Free from Opiates and Alcohol Prepared by the Ballard Golden Oil Co. Old Town, Maine Beware of Imitations Price 50 Cts. Be sure that you get Ballard's Guaranteed under the Food and Drug Act, June 30, 1906. No. 8845. Directions:—Adults, For Coughs, Colds, Asthma, Bronchitis, Throat and Lung diseases, Colic and Cholera Morbus, one-half to one teaspoonful every hour until cured. Bathe same with Golden Oil. Consumption should be treated regularly with such quantity as will be found adapted to the system. It will stop the coughing and prevent further destruction of diseased lungs. For Catarrh, bathe over the eyes, snuff up each side of the nose twice a day; dose internal, twice a day. Dose for children, 10 to 20 drops according to age. For Croup, every half hour. Every hour for Colds, Coughs, Sore Throat and Lung troubles. Diminish the number of doses after the disease has yielded to the above treatment. For all external pains, heat the parts, rub in Golden Oil thoroughly, and give one-half to one teaspoonful twice a day. On sugar pleasant to take. Golden Oil is the best known remedy for La Grippe. It is a great Remedy for Internal and External Use. Nature's Great Remedy for Mankind. For Coughs, Colds, Croup, Asthma, Hoarseness, Sore Throat, Diphtheria, Pneumonia, Bronchitis, Colic, Catarrh, Salt Rheum, Cholera Morbus, Rheumatism, Sciatica, Lame Back, Chilblains, Frost Bites, Burns, Fresh Wounds, Sprains, Neuralgia, Old Sores, Erysipelas, Bruises, Whooping Cough and all Throat and Lung Diseases. The circular or pamphlet, accompanying the product, contained, among other things, the following statements: (On circular) "Here is a banisher of inflammation that works swiftly and surely. If the oil is taken internally its soothing qualities make themselves felt instantly, and health soon takes the place of disorder and distress or if applied on the outside the Oil quickly works its way into the source of the inflammation and sets things to right in short order." "Ballard's Wonderful

Golden Oil is a splendid remedy for pneumonia. When taken promptly according to directions, it can and has checked many cases of pneumonia before they have had a chance to develop serious phases, yet even when the disease has gotten firm root in the lungs it can be thrown off and the lungs entirely healed." "For Consumption. Ballard's Golden Oil acts as a prompt check to the progress of the germ growth and action, relieves the congestion, and promotes a healing of all the affected tissues."

Examination of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Oil of peppermint (per cent by volume) 2, 9

Methyl salicylate (grams per 100 cc) 0, 95

Linseed oil by difference (per cent) 96, 15

Alkaloids (grams per 100 cc) 0, 0023

Veratrine; Present.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On wrapper) "Ballard's Wonderful Golden Oil * * * The kind that cures * * * Ballard's Wonderful An ever reliable Remedy for Coughs * * * Croup, Asthma, Golden Oil Hoarseness, Sore Throat, Pneumonia, Bronchitis, Colic, Catarrh, Salt Rheum, Cholera Morbus, Rheumatism, La Grippe, Sciatica, Lame Back * * * Neuralgia, Old Sores, Erysipelas * * * Whooping Cough, and it cures all Throat and Lung Diseases," (On bottle) "Ballard's Golden Oil * * * for * * * Asthma, Bronchitis, Throat and Lung Diseases, Colic and Cholera Morbus One-half to one teaspoonful every hour until cured * * * Consumption should be treated regularly with such quantity as will be found adapted to the system. It will stop the coughing and prevent further destruction of diseased lungs * * * Golden Oil * * * remedy for La Grippe. It is a great Remedy for Internal and External Use. Nature's Great Remedy for Mankind. For Coughs * * * Croup, Asthma, Hoarseness, Sore Throat, Diphtheria, Pneumonia, Bronchitis * * * Catarrh, Salt Rheum, Cholera Morbus, Rheumatism, Sciatica, Lame Back * * * Neuralgia, Old Sores, Erysipelas, * * * Whooping Cough, and all Throat and Lung Diseases," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a reliable remedy for croup, asthma, pneumonia, bronchitis, catarrh, salt rheum, cholera morbus, rheumatism, grippe, sciatica, erysipelas, whooping cough, and all throat and lung diseases, and effective in the treatment of consumption, stopping the cough and preventing further destruction of diseased lungs, and effective as a remedy for diphtheria; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for croup, asthma, pneumonia, bronchitis, catarrh, salt rheum, cholera morbus, rheumatism, grippe, sciatica, erysipelas, whooping cough, or all diseases of the throat or lungs, or effective in the treatment of consumption or for stopping the cough or preventing further destruction of diseased lungs, or effective as a remedy for diphtheria. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "Ballard's Wonderful Golden Oil is a splendid remedy for pneumonia.

When taken promptly according to directions, it can and has checked many cases of pneumonia before they have had a chance to develop serious phases, yet even when the disease has gotten firm root in the lungs it can be thrown off and the lungs entirely healed," "For Consumption. Ballard's Golden Oil acts as a prompt check to the progress of the germ growth and action, relieves the congestion, and promotes a healing of all the affected tissues," were false and fraudulent in that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for pneumonia when taken according to directions, and effective in the treatment of consumption and for checking the progress of the germ growth and action in the said disease, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for pneumonia when taken according to directions or when taken in any other manner, or effective in the treatment of consumption, or for checking the progress of the germ growth or action in the said disease.

On July 3, 1915, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

CARL VROOMAN, Acting Secretary of Agriculture.

4125. Misbranding of "Taylor's Horehound Balsam." U. S. v. Winfield Scott Taylor (Taylor Drug & Chemical Co.). Plea of non vult. Fine, \$25. (F. & D. No. 6053, I. S. No. 5921-e.)

On July 8, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Winfield Scott Taylor, trading as the Taylor Drug & Chemical Co., Trenton, N. J., alleging shipment by said defendant, on or about January 2, 1913, from the State of New Jersey into the State of Pennsylvania, of a quantity of "Taylor's Horehound Balsam" which was misbranded in violation of the Food and Drugs Act, as amended. The article was labeled: (On carton) "Taylor's Horehound Balsam Each Fluid Ounce Contains Codeine Sulphate Grain 1-6 Chloroform (Pure) Minims 4 Alcohol 144% A Remedy for all Affections of the Lungs, Throat and Chest Such as Coughs, Colds, Asthma, Bronchitis, Croup, Whooping Cough, Pain or Oppression of the Chest, Hoarseness and all Pulmonary Diseases. Directions. For Adults, give one to two teaspoonfuls every three or four hours until relieved. Children according to age. This Size 25 Cents. Prepared only By The Taylor Drug & Chemical Co. Trenton, N. J., U. S. A. To protect the public against imitations and frauds, see that the name is blown in the bottle, and each package is signed, W. Scott Taylor. Registered according to act of Congress in the year 1887 by W. Scott Taylor, in the Patent Office at Washington, D. C." (Statement on back of carton in foreign language.) (On side of carton) "Guarantee on Taylor's Horehound Balsam. Any person buying this medicine, and after using one bottle they find no benefit from it, by writing to the Proprietor, having their letter endorsed by the person from whom it was purchased, will have their money promptly refunded. The Taylor Drug & Chemical Co., Trenton, N. J. Taylor's Horehound Balsam. Guaranteed By The Taylor Drug and Chemical Co. Under The Food and Drugs Act, June 30, 1906. Serial No. 3286. Note—No person ever yet afflicted with the most violent cough or cold who has taken this medicine but what has been relieved." (On top flap) "Touches the Spot." (On bottom flap) "Guaranteed By The Taylor Drug and Chemical Co., Under The Food and Drugs Act, June 30, 1906. Serial Number 3286." (On bottle) "Taylor's Horehound Balsam Each Fluid Ounce Contains Codeine Sulphate, Grain 1/6; Chloroform (Pure), Minims 4; Alcohol 144%. Coughs, Colds, Asthma, Bronchitis, Croup, Whooping Cough, Pain or Oppression of the Chest, Hoarseness and all Pulmonary Diseases. Directions: For Adults give one to two teaspoonfuls every three hours until relieved. Children according to age. Prepared Only By The Taylor Drug & Chemical Co. Trenton, N. J., U. S. A. To protect the public against imitations and frauds, see that each label is signed W. Scott Taylor." (Blown in bottle) "Taylor's Horehound Balsam." The circular or pamphlet accompanying the article contained, among other things, the following statements: "For all Pulmonary Diseases, Whooping Cough and Croup," "Safe, Sure and Always Reliable. * * *," "The most efficacious remedy for Coughs is Taylor's Horehound Balsam. It is an anodyne expectorant of great value and may be depended upon to effect a permanent relief. * * *," "Who can say how many cases of beginning consumption it cured? The number must be great."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	14.4
Codeine sulphate (grams per fluid ounce)	0.0074
Chloroform (minims per fiuid ounce)	2.2
Methyl salicylate (grams per fluid ounce)	
Solids (per cent)	

Sugars (per cent)_____ 48.6 Ash (per cent)______ 0.13

Camphor: Present.

Tartar emetic, ammonium chlorid, iodids, bromids, and wild cherry:

There is nothing to indicate that this sample contains more than traces of horehound; the medicinal substances present, in addition to alcohol, are codeine, chloroform, methyl salicylate, and camphor.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, (On carton) "A remedy for all Affections of the Lungs, Throat and Chest Such as * * * Asthma, Bronchitis, Croup, Whooping Cough * * * and all Pulmonary Diseases," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, [and create in the minds of purchasers thereof] the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all affections of the lungs, throat, and chest, such as asthma, croup, whooping cough, and all pulmonary diseases; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all affections of the lungs, throat, and chest such as asthma, croup, whooping cough, or all pulmonary diseases. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "For all Pulmonary Diseases, Whooping Cough and Croup," "Safe Sure and Always Reliable" "The most efficacious remedy for Coughs is Taylor's Horehound Balsam. * * * may be depended upon to effect a permanent relief. * * *," "Who can say how many cases of beginning consumption it cured? The number must be great," were false and fraudulent in that, by means of said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all pulmonary diseases, whooping cough, and croup, and effective for curing consumption in its early stages; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all pulmonary diseases, whooping cough, or croup, or effective for curing consumption at any stage of said disease. Misbranding was alleged for the further reason that the following statement, appearing on the labels aforesaid in prominent type as the trade name of the said article of drugs to wit, "Horehound Balsam," was false and misleading in that it indicated to the purchasers thereof that said article of drugs was composed of, and contained, a substantial amount of horehound, a harmless medicinal agent, as its principal and most active ingredient; when, in truth and in fact, the said article of drugs was not composed of a substantial amount of horehound, and contained as its principal and most active ingredients, to wit, codeine sulphate and chloroform, dangerous habitforming drugs.

On July 13, 1915, the defendant entered a plea of non vult to the information, and the court imposed a fine of \$25.

4126. Misbranding of cottonseed meal. U. S. * * * v. 300 Bags * * * of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6069, I. S. No. 11002-k, S. No. C-87.)

On November 6, 1914, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agiculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 bags, each purporting to contain 100 pounds net weight of cottonseed meal, remaining unsold in the original unbroken packages at Eldorado, Kans., alleging that the product had been shipped and transported from the State of Texas into the State of Kansas, the shipment having been delivered on or about September 9, 1914, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "100 lbs. Cotton Seed Meal. Manufactured by Merchants & Planters Oil Co. Houston, Texas. Guaranteed Analysis: Protein 43.00 per cent, Fat 7.00 per cent, Crude fibre 9.00 per cent, Nitrogen free extract 24.00 per cent. 100 pounds (net) Feeding Stuff. L. B. Youngblood Director. Guaranteed under Texas Law and sold subject to inspection. Guaranteed composition must be plainly printed on reverse side of this tag. The Inspection tax has been paid. W. L. Boyett State Feed Inspector College Station Texas. Information Bulletins Free."

Misbranding of the article was alleged in the libel for the reason that each of the bags contained less than 100 pounds net weight, in violation of section 8 of said Food and Drugs Act, and [were] subject to seizure and condemnation as provided by law. It was further alleged that the label was misleading and false and calculated to induce the purchaser to believe that each of the bags of cottonseed meal contained 100 pounds net weight, when, in truth and in fact, each of said bags contained less than 100 pounds; and, further, that by reason of said false and misleading brand or label said bags and the contents thereof were subject to seizure and condemnation under section 10 of the Food and Drugs Act of June 30, 1906, as aforesaid.

On March 8, 1915, the case having come on for hearing and the court having considered the pleading and the evidence, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released upon payment of the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act, one of the conditions of said bond being that the product should be correctly branded. On the said date, L. H. Powell & Co., Eldorado, Kans., filed the necessary bond and paid the costs of the proceedings, and the product was thereupon released to said claimant.

CARL VROOMAN, Acting Secretary of Agriculture.

4127. Adulteration and misbranding of turpentine. U. S. * * * v. Producer's Refining Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6071. I. S. No. 4212-h.)

On June 14, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Producer's Refining Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 29, 1914, from the State of Illinois into the State of Wisconsin, of a quantity of turpentine which was adulterated and misbranded. The product was labeled: (On barrel head) "Turpentine." (On bottom) "52." (On shipping tag) "R. Soquet from Producer's Refining Co., Chicago, Ill."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed: That the specific gravity of the sample was lower than that specified for oil of turpentine in the United States Pharmacopæia and indicated adulteration with lighter oil; that upon treating sample with sulphuric acid, according to test in the United States Pharmacopæia, a residue was obtained which was about three times as great as that allowed for oil of turpentine and as that actually obtained from pure oil of turpentine treated similarly at the same time, which indicated adulteration with mineral oil; that upon treating sample with 38 normal sulphuric acid, according to test described in Bureau of Chemistry Circular 85, a residue of about 5.8 per cent by volume was obtained, whereas, pure oil of turpentine similarly treated leaves a residue of from 0.4 to 1.2 per cent. The test proves the presence of at least 5.8 per cent, by volume of mineral oil; all of these tests prove the presence of mineral oil.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopæia, but differed from the standard of strength, quality, or purity as determined by the test laid down in the said United States Pharmacopæia official at the time of investigation in that it contained mineral oil, and its own standard of strength, quality, or purity was not stated on the barrel in which it was offered for sale.

Misbranding was alleged for the reason that the following statement, appearing on the label of the package aforesaid, to wit, "Turpentine," was false and misleading in that it indicated to the purchasers thereof that the said article of drugs consisted wholly of pure turpentine, when, in truth and in fact, it did not consist wholly of pure turpentine, but consisted of a mixture of mineral oil and turpentine.

On June 22, 1915, the defendant company entered a plea of guilty to the information, and on June 30, 1915, the court imposed a fine of \$100 and costs.

Carl Vrooman, Acting Secretary of Agriculture.

4128. Misbranding of "Sayman's Vegetable Liniment Compound." U. S. .v. Thomas M. Sayman. Plea of guilty. Fine, \$50 and cost. (F. & D. No. 6078. I. S. No. 9630-e.)

On March 11, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas M. Sayman, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 11, 1912, from the State of Missouri into the State of Maryland, of a quantity of "Sayman's Vegetable Liniment Compound" which was misbranded. product was labeled: (On carton) "50¢ Sayman's Vegetable Liniment Compound Alcohol 57%, Chloroform 26 Min. To each Fluid Ounce, in combination with Fluid Extract Siempre Viva, Camphor, Vegetable Essential Oils, Aromatic Spts. and other Valuable Ingredients. For Internal or External Use. preparation is a valuable remedy for the treatment of the following diseases: Rheumatism, Neuralgia, Sprains, Lameness, Cuts, Bruises, Ulcers, Fever Sores, Cankered Sore Mouth, Sore Nipples, Sore Throat, Coughs, Colds, Hoarseness, Croup, Whooping Cough, Diphtheria, Headache, Toothache, Earache, Catarrh, Catarrhal Deafness, Cramp Colic, Cholera Morbus, Painters' Colic, Scalds and Burns, Lame Back, Inflammation of the Kidneys, Retention of Urine, Diarrhea, Dysentery, Bloody Flux, Frosted Feet or Chilblains, Swellings, Goiter, Bites and Stings of Insects, Mad Dogs and Venomous Reptiles. Recommended for Colic in Horses, Kidney and Bladder Troubles. Price 50 cents. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 1622. Prepared at the Laboratory of Dr. T. M. Sayman, Removed June 9th, '94 to St. Louis, Mo." (On back of carton) "Sayman's Vegetable Liniment Compound Contains the Extracts of the Mexican Siempre Plants (meaning 'Always Life') together with other ingredients of equal medicinal value. While I do not claim that my patrons will live forever by using this Liniment, yet I can assure you that the many unasked-for letters I am continually receiving from satisfied users of Sayman's Liniment proves its remarkable value as a reliever of pain. Sayman's Vegetable Liniment Compound For Internal or External Use Is composed of constituents of The Highest and Purest Grade. It is very penetrating in its nature, hence is an excellent remedy for the treatment of Inflammations, Swellings, Sprains, Bruises and other injuries. It is just the article needed in every family for use in cases of emergency and accidental injury. No Household Should Be Without It. Guaranteed to give entire satisfaction, if used as directed, or your money refunded. Sold By Agents. Read and follow the Illustrated Directions for Use which accompany each bottle." (On sides of carton) "Save Money Prepare your own Cough Medicine Free from Opium, Cocaine, Creosote or any of their poisonous Alkaloids. See Directions on the Inside. For the Relief of Coughs, Colds, Hoarseness, Soreness and Tightness in Chest, Difficult Breathing, Sore Throat and Croup. To eight ounces of syrup made from Rock Candy or Granulated Sugar, add one teaspoonful of Sayman's Vegetable Liniment Compound. Shake well together. Dose for Adult: One tablespoonful. Children in proportion to age. Four 25 Cent Bottles of Cough Medicine can be made in this way for 6 cents. Try it. Our Agents will show you how to make it. Our Agents will show you the various ways in which Sayman's Vegetable Liniment Compound may be used in cases of Rheumatism, Sprains, Lameness, Coughs, Colds, and Catarrh. Agents make no charge for information or advice. Talk this over with our Agents. The treatment of Catarrh and Hay Fever has been the theme and study of the professional world for years, while the ravages of the disease have spread to an alarming extent,

until it lurks in every household and clings to each hearthstone. Catarrhal Sufferers, let me recommend the use of Sayman's Vegetable Liniment Compound. To get its beneficial effects, following the directions closely. Try it. Don't Neglect That Catarrh. See Full Directions and Valuable information on the Inside Wrapper. Why monkey with Catarrh for delays are dangerous. Commence treatment." (On bottle) "Serial No. 1622. Sayman's Vegetable Liniment Compound Alcohol 57%, Chloroform 26 Min. to each Fluid Ounce, in combination with Fluid Extract Siempre Viva, Camphor, Vegetable Essential Oils, Aromatic Spts. and other Valuable Ingredients. For internal or external use. This preparation is a valuable remedy for the treatment of the following diseases: Rheumatism, Neuralgia, Headache, Catarrh, Deafness, Toothache, Sore Throat, Croup, Lame Back, Stiff Joints, Pains in the Side and Back, Cholera Morbus, Colic, Inflammation of the Kidneys, Diarrhoa, Fever and Ague, Congestive Chills, Sprains, Bruises, Burns, Frost Bites, Stings of Insects, Sore Nipples and Caked Breast. Full Directions for use with accompanying circular. Price 50 Cts. A Bottle. Prepared at the Laboratory of Dr. T. M. Sayman, St. Louis, Mo." (Blown in bottle) "The Sayman Products are Supreme, Dr. T. M. Sayman St. Louis, Mo." The circulars or pamphlets accompanying the product contained, among other things, the following: (Salmon colored circular) "FOR Rheumatism, Neuralgia, Sprains, Lameness, Cuts, Bruises, Ulcers, Fever Sores, Sore Eyes and Cankered Sore Mouth, Sore Nipples, Sore Throat, Croup, Whooping Cough, Diphtheria, Catarrh, Headache, Toothache, Earache, Catarrhal Deafness, Cramp, Colic, Cholera Morbus, Painters' Colic, Scalds and Burns, Lame Back, Inflammation of the Kidneys, Retention of Urine, Diarrhea, Dysentery, Bloody Flux, Frosted Feet or Chilblains, Swellings, Tumors, Goiters, Bites and Stings of Insects, Mad Dogs and Venomous Reptiles. Recommended for Colic in Horses, Kidney and Bladder Troubles." (Yellow colored circular) "The Great Household Panacea * * * For the Relief of all Aches and Pains." "For Sudden Attacks of Dysentery, Diarrhea, Cramp, Colic or Pain in the Stomach, Rheumatic Ailments or Paralysis." "An Effective Antidote for Bites and Stings from Poisonous Insects, Rabid Dogs and Reptiles." "Lame Back or Inflammation of the Kidneys, Painful Menstruation—Bathe the back freely with Sayman's Vegetable Liniment morning and night for thirty minutes. Lay on Hot Packs or Cloths, bind them to the back, allow them to stay all night, and take ten to twenty drops of Sayman's Vegetable Liniment internally." "For Granulated Lids, Sore, Tired and Inflamed Eyes, or where the eyes become irritated from catching cold or from being exposed to wind, irritating substances like dust, etc., aching or tired feeling from the use of glasses, overwork or excessive reading, eyestrain-Spray the Eyes from 2 to 6 times daily with 1 teaspoonful of Catarrh wash, full strength, to 1 ounce or tablespoonsful water that has been boiled." "Catarrh Wash and How to Make It.—One tablespoonful of Sayman's Vegetable Liniment Compound, to which must be added 8 tablespoonsful of glycerine, 1 tablespoonful table salt. Place the above in an 8-ounce bottle, adding the ingredients as per order. Fill up the remainder with boiled or distilled water in a quantity sufficient to make 8 ounces of the liquid. Shake well until thoroughly dissolved and strain the entire contents through a fine cloth or absorbent cotton in order to remove all the little particles; replace in the 8-ounce bottle and it is ready for use."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the product to be essentially a hydroalcoholic solution of

camphor, chloroform, capsicum, oil sassafras, ammonia, and plant extractive; it contained 62.0 per cent by volume of alcohol, and 18.85 minims per fluid ounce of chloroform; the presence of turpentine was indicated.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "This preparation is a valuable remedy for the treatment of the following diseases: * * * Deafness * * * Fever and Ague, Congestive Chills * *," (On carton) "This preparation is a valuable remedy for the treatment of the following diseases: Rheumatism * * * Croup, Whooping Cough, Diphtheria * * * Catarrh, Catarrhal Deafness * * * Painters' Colic * * * Inflammation of the Kidneys * * * Dysentery, Bloody Flux * * * * Goiter * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a valuable remedy for deafness, fever and ague, congestive chills, rheumatism, croup, whooping cough, diphtheria, catarrh, catarrhal deafness, painters' colic, inflammation of the kidneys, dysentery, bloody flux, or goiter; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for deafness, fever and ague, congestive chills, rheumatism, croup, whooping cough, diphtheria, catarrh, catarrhal deafness, painters' colic, inflammation of the kidneys, dysentery, bloody flux, or goiter. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circulars or pamphlets aforesaid, to wit, "The Great Household Panacea * * * For the Relief of all Aches and Pains," "For Sudden Attacks of * * * Paralysis," "An Effective Antidote for Bites * * * from Rabid Dogs * * *," "* * * Inflammation of the Kidneys, Painful Menstruation—Bathe the back freely with Sayman's Vegetable Liniment * * * and take ten to twenty drops * * * internally," "Sayman's Liniment relieves Croup in 15 to 30 Minutes," "For Granulated Lids, Sore * * * and Inflamed Eyes * * * Spray the Eyes * * * with Catarrh Wash * * * *," were false and fraudulent in that, by means of the said circulars or pamphlets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective. among other things, as a panacea for the relief of all aches and pains and effective as a remedy for sudden attacks of paralysis and effective as an antidote for bites of rabid dogs, and effective as a remedy for inflammation of the kidneys, and painful menstruation, and effective for the relief of croup, in from fifteen to thirty minutes, and effective as a remedy for granulated lids, sore and inflamed eyes, when used in the form of a catarrhal wash according to directions contained in the said circular; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a panacea for the relief of all aches and pains, or effective as a remedy for sudden or other attacks of

paralysis, or effective as an antidote for bites of rabid dogs, or effective as a remedy for inflammation of the kidneys or painful menstruation, or effective for relieving croup in from fifteen to thirty minutes, or at all, or effective as a remedy for granulated lids, sore, or inflamed eyes, when used in the form of a catarrhal wash according to the directions contained in the circular or when used in any other manner.

On May 20, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VRODMAN, Acting Secretary of Agriculture.

4129. Adulteration of desiccated egg product. U. S. * * * v. 2 Barrels of Desiccated Egg Product. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6096. I. S. Nos. 12647-k, 12648-k. S. No. C-117.)

On November 13, 1914, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels, each containing 200 pounds of desiccated egg product, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the product had been shipped, on or about October 27, 1914, by the Consolidated Egg Co., Dallas, Tex., and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it contained an excessive number of organisms, including those of gas-producing type, and, further, for the reason that said product consisted in whole or in large part of a decomposed product and was of a deleterious character and unfit for use as food within the meaning of the Food and Drugs Act.

On November 25, 1914, the said Consolidated Egg Co. filed its answer and claim as owner of the property. On April 9, 1915, the case having come on for final hearing, the said claimant not having appeared, and the matters involved having been submitted to the court, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the costs of the proceedings should be assessed against the claimant of record, the Consolidated Egg Co.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product was of a deleterious character.)

CARL VROOMAN, Acting Secretary of Agriculture.

4130. Misbranding of "Dr. Walker's Rheumatism Remedy." U. S. v. Sarah A. McDonald (Walker Medicine Co.). Plea of guilty. Fine, \$5. (F. & D. No. 6105. I. S. No. 1993-e.)

On June 1, 1915, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sarah A. McDonald, trading as Walker Medicine Co., St. Paul, Minn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 7, 1912, from the State of Minnesota into the State of Illinois, of a quantity of "Dr. Walker's Rheumatism Remedy" which was misbranded. The product was labeled: (On bottle) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, Lumbago, Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Cancer, Heart Disease, Pleurisy, Appendicitis, Dyspepsia, Female Weakness, Stomach, Blood, Liver and Kidney Purifier. A general Renovator for the System. Directions: Take one tablespoonful after each meal. If it moves the bowels too freely reduce the dose. Walker Medicine Co. St. Paul, Minn. U. S. A. Serial No. 17540 Price One Dollar." (On carton) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, Lumbago, Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Heart Disease, Pleurisy, Dyspepsia, Female Weakness, Stomach, Blood, Liver and Kidney Purifier. A General Renovator for the System. Walker Medicine Co. St. Paul Minn., U. S. A. Serial No. 17540. Price One Dollar." (On sides) "Dr. Walker's Rheumatism Remedy and Blood Purifier." (On back) "Dr. Walker's Rheumatism Remedy." (Statements in two foreign languages).

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	1.88
Solids (grams per 100 cc)	4.23
Ash (grams per 100 cc)	2.66
Sodium bicarbonate from alkalinity of ash (grams per 100 cc)_	4.06
Emodin, carbonates: Present.	

Salicylates, alkaloids, iodids, mercury: Absent.

Odor indicates wormwood.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On bottle) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism * * * Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Cancer, Heart Disease, Pleurisy, Appendicitis, * * * " (On carton) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, * * * Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Heart Disease, Pleurisy * * * ," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to. the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, sciatica, gout, gall stones, nervous prostration, epileptic fits, St. Vitus's dance, cancer, heart disease, pleurisy, and appendicitis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, sciatica, gout, gall stones, nervous prostration, epileptic fits, St. Vitus's dance, cancer, heart disease, pleurisy, or appendicitis. Misbranding was alleged for the further reason that the package of the article bore another statement regarding the therapeutic or curative effects thereof, to wit, "Tuberculosis Cured", said statement being incorporated in a booklet inclosed in the said package in manner and form as follows, to wit, "Tuberculosis Cured. 'Dr. George Walker. Dear Sir: After treating with a Specialist for tuberculosis in August, he held consultation with four other doctors and pronounced my case incurable. One of the doctors recommended Dr. Paquin's anti-tuberculosis serum by injection in my side. This remedy I used for about two months and quit, finding myself gradually worse, with night sweats coming on, and coughing eight hours out of the twenty-four. Hoarseness had increased to such an extent that I could scarcely talk above a whisper. was October, 1896, and I began to think of going to Colorado for the winter, and went as far as the ticket office to inquire for transportation when a friend advised me to call on you and try your great remedy. I did so and with your remedy and good advice I concluded to stay at home with my family. I have been taking your medicine about eight months and must say it has caused a wonderful change for a person of my age (56 years). My cough has nearly stopped, and I have nearly regained my voice. I am improving daily and able to take charge of my business again. I have great faith in your medicine, and for treatment of consumption and all blood diseases I most heartly recommend you and your remedies to all sufferers, believing it will put them on their feet again where doctors and other remedies have failed. Most respectfully yours, Geo. M. Stanchfield, No. 396 Robert St. St. Paul, Minn," which said statement was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a cure for tuberculosis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a cure for tuberculosis.

On June 4. 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

Carl Vrooman, Acting Secretary of Agriculture.

4131. Misbranding of "Dr. Hiatt's Germicide." U. S. v. James A. Hiatt et al. (Hiatt Germicide Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6111. I. S. No. 7967-e.)

At the May, 1915, term of the District Court of the United States for the District of Indiana, the grand jurors of the United States within and for the district aforesaid, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against James A. Hiatt and William F. Hiatt, trading under the firm name of the Hiatt Germicide Co., Richmond, Ind., charging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about October 18, 1912, from the State of Indiana into the State of Ohio, of a quantity of "Dr. Hiatt's Germicide" which was misbranded. The product was labeled: (Carton) "Dr. Hiatt's Germicide This Preparation Contains: 6-25/100% Alcohol, 1/240% C. P. Phenol. For Croup, Diphtheria, Quinsy, Sore Throat, Catarrh, Coughs, Colds. Clears the Voice for Singing. Also good for Inflamed Mucous Membranes. Manufactured by The Hiatt Germicide Co. Richmond, Ind. None genuine without the signature of James A. Hiatt. Guaranteed by Hiatt Germicide Co. under Food and Drugs Act, June 30, 1906. Serial No. 18901." (Back) "Directions This medicine is used without diluting in one-half to one teaspoonful doses every hour or two hours for adults. Children 6 to 12 years old, one-half teaspoonful; in severe cases use oftener and smaller doses. To keep the throat healthy, give a dose morning and evening. For Catarrh, dilute one-half with water and use in atomizer. Always gargle in the throat, then swallow. If the bowels are constipated, give some good cathartic. (Statements in German) Notice Does Not Contain Any Opiates." (Sides) "For Chronic Throat Diseases All Forms of Catarrh Specific for Croup Cures Smoker's Sore Throat When Snuffed Up The Nose Relieves Hay Fever And Cold In The Head. Dilute One-Half With Water For Above." (Top flap) "25 Cents." (Bottle) "Dr. Hiatt's Germicide This preparation contains: 6-25/100% Alcohol, 1-240% C. P. Phenol. For Croup, Diphtheria, Quinsy, Sore Throat, Catarrh, Coughs, Colds. Clears the Voice for Singing. Also good for Inflamed Mucous Membranes. Manufactured by Hiatt Germicide Co. Richmond, Ind. Guaranteed under Food & Drugs act, June 30, 1906. Ser. No. 18901." (Back) "Directions. This medicine is used without diluting in one-half to one teaspoonful doses every hour or two hours, for adults. Children, 5 to 12 years old, one-half teaspoonful; in severe cases use oftener and smaller doses. To keep the throat healthy, give a dose morning and evening. catarrh dilute one half with water, and use in atomizer. Always gargle in the throat then swallow. If the bowels are constipated give some good cathartic." (Blown in bottle) "Dr. Hiatt's Germicide." The circular or pamphlet accompanying the product contained, among other things, the following statement: "Dr. Hiatt's Germicide for the prevention and cure of diphtheria."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was a sirup containing sodium benzoate, phenol, alcohol, a small amount of glycerin, probably balsam tolu, and flavored with oil of wintergreen; it contained 6.1 per cent of alcohol.

Misbranding of the article was charged in the indictment for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On carton) "Dr. Hiatt's Germicide * * * For Croup, Diphtheria * * * For Chronic Throat Diseases All forms of Catarrh Specific for Croup * * *," (On bottle) "Dr. Hiatt's Germicide * * * For Croup, Diphtheria * * *," "To keep the throat healthy, give a dose morning and evening," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton

disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for croup, diphtheria, chronic throat diseases, all forms of catarrh, and effective as a specific for croup and effective for keeping the throat healthy, when, in truth and in fact, said article was not in whole or in part composed of, or did not contain, ingredients or medicinal agents effective as a remedy for croup, diphtheria, chronic throat diseases, or all forms of catarrh, or effective as a specific for croup or effective for keeping the throat healthy. Misbranding was charged for the further reason that the following statement regarding the therapeutic or curative effects of the article, appearing in the circular or pamphlet aforesaid, to wit, "Dr. Hiatt's Germicide for the prevention and cure of diphtheria," was false and fraudulent in that, by means of the said circular or pamphlet, it was applied to said article knowingly and in reckless or wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the prevention and cure of diphtheria, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the prevention or cure of diphtheria.

On May 10, 1915, the defendants entered pleas of guilty to the indictments, and the court imposed a fine of \$100 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.

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4132. Adulteration and misbranding of vinegar. U. S. v. 35 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6112. I. S. No. 3334-k. S. No. E-275.)

On May 26, 1915, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 barrels of vinegar, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped, on or about April 10, 1915, by the Wallace Vinegar Co., Paducah, Ky., through a firm at Brockton, N. Y., from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Pure Apple Cider Vinegar."

Adulteration of the product was alleged in the libel for the reason that dilute acetic acid or distilled vinegar had been substituted in part for apple cider vinegar in each of the barrels.

Misbranding was alleged for the reason that said product, containing in part dilute acetic acid or distilled vinegar, was not "pure apple cider vinegar," as branded.

On July 19, 1915, the said Wallace Vinegar Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant, upon payment of the costs of the proceedings, and the execution of bond in the sum of \$100, in conformity with section 10 of the act, one of the conditions of said bond being that the vinegar should not be sold or disposed of before the same was properly relabeled.

CARL VROOMAN, Acting Secretary of Agriculture.

4133. Misbranding of "Rheuma." U. S. v. 6 Dozen Retail Packages of
* * * "Rheuma." Tried to the court and a jury. Verdict in
favor of the Government. Decree of condemnation, forfeiture, and
destruction. (F. & D. No. 6114. I. S. No. 155-k. S. No. E-165.)

On November 18, 1914, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen retail packages of a product known as "Rheuma," remaining unsold in the original unbroken packages at Charleston, S. C., alleging that the product had been shipped on September 30, 1914, and transported from the State of New York into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages were labeled: "Rheuma Its for Rheumatism 20 Per Cent Alcohol. Guaranteed by The Rheuma Co., under Food and Drugs Act, June 30, 1906, Serial No. 24120. Directions. One-Half Teaspoonful in a Little Water before Retiring. If bowels move too freely decrease the dose. Shake well before using. Price 50 cents. Contents, 2 fluid ounces. Try Rheuma Its for Rheumatism Mildly Laxative To Aid Digestion. For Thin Blood For Sluggish Liver For the Bowels Try Rheuma Its for Rheumatism To aid the carrying off of the excess of uric acid crystals lodged in the kidneys. Manufactured by The Rheuma Co., Buffalo, N. Y." The bottles were labeled: "To aid the carrying off of the excess of uric acid crystals lodged in the kidneys." The cartons were labeled: "Rheuma Its for Rheumatism A Preparation for Rheumatism and Kidney Diseases." "Prepared for direct action in all rheumatic complications." "Rheuma can be used as an aid in producing rich blood and creating normal action of the Heart." "For relieving feverish conditions in Dropsical affections of the Limbs." In the circulars accompanying the product the following words appeared: "Rheuma Medicine for the various forms of Rheumatism." "Rheumatoid Arthritis" "Sciatic Rheumatism" "Inflammatory Rheumatism" "Gout (Chalk Joints)." "Rheuma Its for Rheumatism is prepared to remedy the defects caused by the rayages of Rheumatism in all forms." "Read what this great remedy has done for sufferers from Rheumatism." "Ten years' pain relieved in two days. ——'I have been a great sufferer from Rheumatism for about ten years, having it in my knees, ankles and joints. Was on crutches about one-third of the time. The first of last December I commenced to take Rheuma; in two days I laid down my crutches and have since given them away. I now believe that I am a well man." "Restored after 25 years' suffering. ----'I had been afflicted with Rheumatism all over my body for more than 25 years; I could not walk and was a brokendown man. Rheuma reached my case." "Cripple on crutches regains health. -______ I have been cured of a very bad case of Rheumatism by using two bottles of Rheuma. It is now two years since I used the remedy, and I am still as well as ever. Previous to using Rheuma, I was a cripple, walking with crutches.'" "Contracting muscles and swelling gone. —— For fourteen months I was so badly afflicted with Rheumatism that much of the time I was obliged to use a cane in walking. On the recommendation of your druggist in Glens Falls, I used one bottle of Rheuma and the cane is in the corner now. No one could be happier than I am to be rid of the insistent pain, swollen knees, contracting muscles under the knees and badly swollen ankles. I certainly believe there is no remedy for the disease like Rheuma.'" "Awful sufferer from Bright's disease. ——'For many years I was troubled with Rheumatism and also with Bright's Disease of the Kidneys. I suffered most awfully. * * * At last I used your truly remarkable preparation, Rheuma. * * * It surely restored me.'"

Misbranding of the article was alleged in the libel for the reason that the words and figures so declared, marked, printed, branded, and labeled in and upon the said packages, bottles, cartons, and circulars as aforesaid, were misleading, false, and fraudulent, and said article was misbranded regarding the curative or therapeutic effects thereof or any of the ingredients or substances contained therein, within the meaning of the Act of Congress approved on the thirtieth day of June, A. D. 1906, as amended by the Act of Congress, approved on the twenty-third day of August, A. D. 1912.

Thereafter the Rheuma Co., Buffalo, N. Y., filed its answer denying that the product was misbranded and praying that the proceedings be dismissed. On June 5, 1915, the case having come on before the court and a jury, after the submission of evidence, the jury returned a verdict finding the article misbranded, and thereupon judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture:

4134. Misbrauding of "Jackson's Magic Balsam." U. S. v. 10 Cases * * * of * * * "Jackson's Magic Balsam." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6115. I. S. No. 157-k. S. No. E-166.)

On November 19, 1914, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases, each containing 2 gross retail packages of a product known as "Jackson's Magic Balsam," remaining unsold in the original unbroken packages at Charleston, S. C., alleging that the product had been shipped, on or about March 7, 1914, and transported from the State of Maryland into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages were labeled: "Jackson's Magic Balsam Remedy for Toothache in 1 min., Neuralgia in 20 min., Headache in 5 min., Rheumatism, Croup in 5 min. It is a good Horse Lotion, for Cuts, Wounds, Galls, Bruises, etc. 1 liquid ounce contains: Absolute Alcohol 91.4% Chloreform 7.25 grs. Morphine 0.939 grs. Price 25 Cts. P. Van Alstine Prop. Balto., Md." On the bottle labels appeared the following: "Remedy * * * rheumatism, croup in five minutes." On the cartons the following words appeared: "Old chronic coughs and all diseases of the throat, kidney complaints and all diseases of the kidneys. Remedy for sore eyes, * * * Bites of animals * * * Poisons of all kinds. Remedy for Rheumatism * * * Catarrh, Swelling and Risings, * * * and Inflammation in any Part of the Body." On the circulars the following words appeared: "For headache—Pour one teaspoonful on top of the head and rub all over; also bathe the temples and forehead freely; also inhale the Balsam up the nose and relief is certain. For * * * old Chronic Coughs * * *. * * * Erysipelas, * * * Bites of Animals * * *. For Cholera * * *. For Bronchitis * * *. For Bowel Complaint of Children—it will never fail to cure. For Rheumatism * * * It has never failed to cure the worst cases when the balsam was used for a long time. Some cases have been cured with one 25 cent bottle. * * * Perseverance insures a cure always. **禁** Give a little at a time until relieved. For Salt Rheum * * *. For Sore Eyes. For Suppressed Menses. For Catarrh in the Head. For Dyspepsia. For Canker in the Mouth, Throat or Stomach. Deafness— Wash out the ear well with Castile soap and warm water, then wet a piece of cotton with the Balsam and put in the ear; then put a piece of dry cotton over it, or on the wet cotton, repeating the operation every three or four days. Do so for thirty days, and then remove all the cotton and put dry cotton in the ear for a few days, then remove it, and you will find your hearing greatly improved, if not entirely cured. In recent cases it does not require so long a time to effect a cure as in long-standing cases. For Kidney Complaints. Use it for all Galls and diseases of Horses and Animals. * * * Will cure the worst Colic in twenty minutes. Mothers will find nothing in the world better for children teething than Jackson's Balsam. Keep the gums well bathed with the Balsam, and you will have no trouble with them while teething, * * * For old men and women, who would enjoy good health in their declining years, there is nothing to be compared with this medicine. Fifteen drops taken in a little sweetened water, three times a day, will in a short time, greatly improve their health as it is a great vitalizer of the blood. * * * By mixing one teaspoonful of Balsam in one cup of water will always prevent a change of water, from injurious effects."

Misbranding of the article was alleged in the libel for the reason that the words and figures, so declared, marked, printed, branded, and labeled in and

upon the said packages, bottles, cartons, and circulars as aforesaid, were misleading, false, and fraudulent, and that the said article was misbranded regarding the curative or therapeutic effects of such article, or any of the ingredients or substances contained therein, within the meaning of the Act of Congress, approved on the thirtieth day of June, A. D. 1906, as amended by the Act of Congress, approved on the twenty-third day of August, A. D. 1912.

On June 4, 1915, no answer, claim, objection, or appearance having been made and the cause having come on for hearing before the court and a jury, after the submission of evidence, the jury returned a verdict finding the article misbranded as alleged, and on June 5, 1915, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the article should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

4135. Adulteration of catsup. U. S. * * * v. 334 Cases of Tomato Catsup.

Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6118. I. S. No. 12077-k. S. No. C-127.)

On November 19, 1914, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 334 cases, each containing 24 bottles of tomato catsup, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the product had been shipped on or about November 2, 1914, and transported from the State of Ohio into the State of Missouri, and charging adulteration, in violation of the Food and Drugs Act. The product was labeled, in part: "2 Doz. O No. 12 Tomato Catsup 276". "Squirrel Brand Catsup (design of squirrel) Trade Mark Reg. U. S. Pat. Off. Contents 11 oz. Avd. * * *."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance, and was of a deleterious character and unfit for use as food within the meaning of said act of Congress.

On February 24, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product was of a deleterious character.)

Carl. Vrooman, Acting Secretary of Agriculture.

4136. Misbranding of "Phedrin." U. S. v. Mary H. Kaufman (American Remedy Co.). Plea of guilty. Fine, \$5. (F. & D. No. 6122. I. S. No. 3531-h.)

On June 2, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mary H. Kauffman, trading as the American Remedy Co., Philadelphia, Pa., alleging the sale by said defendant, on or about February 25, 1913, under a guaranty that the article was not adulterated or misbranded within the meaning of the Food and Drugs Act, as amended, of a quantity of an article called "Phedrin" which was a misbranded article within the meaning of said Food and Drugs Act, as amended, and which said article was, on or about July 18, 1913, shipped by the purchaser thereof, in the identical condition in which received from the defendant, from the State of Pennsylvania into the State of New Jersey, in violation of said Food and Drugs Act. The article was labeled: (On carton) "Phedrin is the trade name of the plant which is known among the Mexicans as Canutillo, and by the Indians as Te-po-po-te. It is known both among Mexicans and Indians as a great Blood Purifier. When used as a Tea it removes Uric Acid and other impurities from the blood, and thus curing Rheumatism and similar diseases. Price per package 50 cents. When sent by mail 56 cents. Guaranteed by American Remedy Co., under the Food and Drugs Act, June 30, 1906. Serial No. 30648. For Sale by American Remedy Co. Room 711, Mutual Life Building 1001 Chestnut St., Philadelphia, Pa. And by all Druggists." (Back) "Rheumatism usually is caused by Uric Acid in the blood and a diseased condition of the Kidneys. Phedrin when used as a tea will remove the Uric Acid and other impurities from the blood and will cause the kidneys to do their natural work and thus effecting a cure of Rheumatism and other diseases arising from weak or diseased kidneys. Phedrin will be most effective when used in place of tea or coffee or alcoholic stimulants. invigorates the system as in some cases to take away the desire for alcoholic beverages." (Sides) "Phedrin the great Mexican Blood Purifier is a diuretic, acting directly on the kidneys, taking uric acid and other impurities from the It is remarkable for affording relief in Dropsy, Diabetes and Bright's Disease, and it is a splendid Tonic and Appetizer. Price, 50c.; by mail, 56c, a package. For Sale by American Remedy Company, 711 Mutual Life Building, 1001 Chestnut St., Philadelphia, Pa. Phedrin should be used strictly in accordance with these directions. Put one tablespoonful of Phedrin into one quart of boiling water in an earthenware vessel, cover and brew for half an hour or more on back of stove where it will keep hot, but not boil. Drink hot or cold, preferably hot, one cup full daily before each meal and on going to bed. The best results can be obtained if it is used in place of tea and coffee. If the stomach at first rejects it, which sometimes happens, drink it hot and sweetened. If not strong enough to suit taste increase quantity of herb. Make fresh each day."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of the cut herb of a species of Ephedra.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Phedrin When used as a Tea will remove the Uric Acid and other impurities from the blood * * * and thus curing Rheumatism * * * Phedrin the great * * * Blood Purifier * * It is remarkable for affording relief in Dropsy, Diabetes, and Bright's Disease * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckelss and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof,

and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for removing uric acid and other impurities from the blood, and thus curing rheumatism, and effective as a blood purifier, and effective for affording relief in dropsy, diabetes, and Bright's disease, when, in truth and in fact, said article was not in whole or part composed of, and did not contain, ingredients or medicinal agents effective for removing uric acid and other impurities from the blood, thus curing rheumatism, or effective as a blood purifier, or effective for affording relief in dropsy, diabetes, or Bright's disease.

On June 18, 1915, defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

Carl Vrooman, Acting Secretary of Agriculture.

41.77. Adulteration and misbranding of evaporated apples. U. S. * * * v. 34 Cases of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6123. I. S. No. 12568-k, S. No. C-129.)

On November 23, 1914, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 cases of evaporated apples, remaining unsold in the original unbroken packages at Greenwood, Miss., alleging that the product had been shipped and transported in interstate commerce, from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cases were labeled: "Fifty cartons Crown Brand Sulphur Bleached Evaporated Apples, Packed by R. E. Funston Dried Fruit and Nut Co., St. Louis, Mo." The cartons in the cases were labeled: "Crown Brand Funston Evaporated Apples net weight 9 oz. Sulphur bleached, packed by R. E. Funston Dried Fruit and Nut Co., St. Louis, Mo."

It was alleged in the libel that the product contained in said cases consisted of filthy, decomposed animal and vegetable matter, being infested with bugs and maggots in varying amounts and being moldy. It was alleged that the product was further adulterated in that it contained an added substance which had been substituted for evaporated apples, namely, 27.1 per cent of moisture. It was further alleged that the cartons were unlawfully misbranded for the reason that each carton contained only 8.18 ounces of the product.

On January 25, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product was adulterated in that 27.1 per cent of moisture had been substituted for the product.)

4138. Misbranding of "Dr. Jones' Liniment." U. S. v. Morris Spiegel et al. (Dr. M. Spiegel & Sons). Plea of guilty. Fine, \$25. (F. & D. No. 6127. I. S. No. 9439-e.)

On March 15, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morris Spiegel, Leonard J. Spiegel, and Jacob K. Spiegel, trading under the firm name of Dr. M. Spiegel & Sons, Albany, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 8, 1913, from the State of New York into the State of Georgia, of a quantity of "Dr. Jones' Liniment" which was misbranded. The article was labeled: (On carton) "Dr. Jones' (Trade Mark) Liniment for the Treatment of Rheumatism, Neuralgia, Sore Throat and Quinsy, Headache, Toothache, Backache, Bruises, Sprains, Lameness, Chilblains, Frost Bites. For Sale By All Dealers in Medicines, or sent Prepaid on Receipt of Price. Price, 50 Cents. Serial No. 891. Guaranteed under the Food and Drugs Act, June 30, 1906, by Dr. M. Spiegel, Manufacturer, Albany, N. Y." (On sides of carton) "This Liniment will penetrate with but slight rubbing when applied to the seat of pain. Do Not Heat It. If after using it a few times the pains are still lingering, apply to the affected part a cloth wrung out in hot water and afterwards the Liniment is applied until relief is experienced. Full Directions Inside. Dr. Jones' Liniment. This Liniment has been in use since 1869, and has become a favorite with thousands of families throughout every section of the United States for its soothing and healing properties in violent pains and aches. It is used for Rheumatism, Lumbago, Neuralgia, Colic and Cramps, Cold in the Chest and Lungs, Wounds, Bruises, Inflammation and Toothache. A pain killer that will banish these horrible afflictions is an absolute necessity to everybody. It is the best safeguard against suffering from Accidents and should find a permanent home with every family. Thousands of people endorse the merits of Dr. Jones' Liniment for its benefiting effects. Price 50 Cents." (English Directions for using Jones' Liniment inside on blue paper. Similar statements in foreign (On top of box) "Clean! Safe! Efficacious!" (On bottle) "Dr. Jones' (Trade Mark) Liniment For The Treatment of Rheumatism, Neuralgia, Headache, Backache, Toothache, Bruises, Sprains, Lameness, Bunions, Chilblains, Colic, And All Bodily Pains. Serial No. 891. Guaranteed under the Food and Drugs Act, June 30, 1906, by Dr. M. Spiegel, Manuf'r. Albany, N. Y. Sold by dealers in Medicines. Price, 50 Cents. Used For Corn and Callouses. This Liniment is used for strengthening weak back or limbs, and healing bodily pains and inflammations. Full directions with each bottle. Price, 50 Cents. Used on Man and Beast. Dr. Jones' Liniment requires but little rubbing. In protracted pain a cloth moistened with the Liniment may be applied until relief is experienced. Do not heat the Liniment. Full directions with each bottle." (Blown in bottle) "Dr. Jones' Liniment." The booklet accompanying the article contained, among other things, the following: "Muscular Rheumatism. An attack of this disease often comes on suddenly. On awakening, the patient feels extreme pain when trying to make certain movements. Any muscle of the body is liable to an attack of muscular rheumatism. Apply Dr. Jones' Liniment to the muscles thus affected several times daily and the pains will disappear. Dr. Jones' Liniment has cured many hopeless cases. May it not do the same for you? There is no case so severe that it will not give immediate relief." "Dr. Jones' Liniment is compounded of the purest ingredients, scientifically combined, for rheumatism, neuralgia and their allied ailments, and is a specific for sciatica if used according to directions." "Dr. Jones' Liniment is applied externally with gentle rubbing, penetrates to the seat of pain at once, through the pores of the skin, and gives permanent relief. May be used freely with safety and confidence."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed it to be essentially a gasolene solution of oleo-resin of capsicum, oil sassafras, methyl salicylate, and, evidently, volatile oil of mustard. Fatty oil, other than that from capsicum, was not indicated.

Misbranding of the article was alleged in the information for the reason that. the following statements regarding the therapeutic or curative effects thereof, included in the booklet aforesaid, to wit, "Muscular Rheumatism -* * * Dr. Jones' Liniment has cured many hopeless cases * * * There is no case so severe that it will not give immediate relief," "Dr. Jones' Liniment * * * is a specific for sciatica if used according to directions," were false and fraudulent in that, by means of the said booklet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for muscular rheumatism, and effective as a specific for sciatica if used according to directions; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure for muscular rheumatism, or effective as a specific for sciatica if used according to directions or in any other manner. Misbranding was alleged for the further reason that the package of the article bore another statement regarding the therapeutic or curative effects thereof, to wit, "Crippled with rheumatism, was cured with Dr. Jones' Liniment," said statement being incorporated in the booklet aforesaid in manner and form as follows, to wit, "Crippled with Rheumatism, was Cured with Dr. Jones' Liniment.—'My wife was crippled and unable to walk, as the result of rheumatism. She fell off in weight from 160 to 113 pounds. Doctors and all kinds of remedies failed to help her. Having heard of the great cures Dr. Jones' Liniment was performing, I decided to try it as a last resort. A few applications gave us the assurance that we had at last procured the right article. She used nine bottles, in all, of your valuable preparation, and was entirely cured. She is around doing her housework and is as well as ever. I want all sufferers from rheumatism to know of this marvelous cure. I will gladly answer anybody wishing to write to me for information, knowing that I cannot serve or benefit suffering mankind in a better way than by inducing the use of your valuable preparation.' W. H. Kistler, 333 Wollard St., Atlanta, Ga.," which said statement was false and fraudulent in that it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a cure for rheumatism; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a cure for rheumatism.

On April 6, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

4139. Misbranding of "Otto's Spruce Gum Balsam and Pine Tar Compound." U. S. v. John H. Rohsenberger (American Pharmacal Co.).

Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6142. I. S. No. 7174-e.)

At the April, 1915, term of the District Court of the United States for the District of Indiana, the grand jurors of the United States within and for the district aforesaid, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against John H. Rohsenberger, trading as the American Pharmacal Co., Evansville, Ind., charging the shipment by said defendant, in violation of the Food and Drugs Act, as amended, on September 24, 1912, from the State of Indiana into the State of Tennessee, of a quantity of "Otto's Spruce Gum Balsam and Pine Tar Compound" which was misbranded. The article was labeled: (On carton) "Otto's Spruce Gum Balsam And Pine Tar Com-4 M. Chloroform to the Ounce. Manufactured by The American Pharmacal Co. Evansville, Ind., U. S. A. A Valuable Remedy for Coughs, Colds, Whooping Cough, Croup, Bronchitis, Asthma, Sore Throat, Chest and Lungs, Consumption and Grip. Price 25 Cents. No. 937 Guaranteed under the Food and Drugs Act, June 30, 1906 Otto's Spruce Gum Balsam and Pine Tar Compound Is an entirely new and scientific prescription, guaranteed to be better in all Coughs, Throat, Chest and Lung troubles than any other remedy. Invaluable for Consumption. Most all Cough and Lung Remedies are expectorants—This is wrong. If you want to cure a cough you must stop coughing. Otto's Spruce Gum Balsam and Pine Tar Compound is not an expectorant, but will stop the cough almost immediately. Given according to directions it will loosen the phlegm so that it is thrown off without coughing and straining. It allays the inflammation, heals the lungs and strengthens the respiratory organs, giving vigor and vitality to the whole system. Beware of Substitutes and Imitations" (Back the same as the front) in German on other side). (On bottle) "Otto's Spruce Gum Balsam and Pine-Tar Compound 4 M. Chloroform to Ounce The American Pharmacal Co. Manufacturers Evansville, Indiana Dose: 1 teaspoonful as often as necessary. Swallow slowly, leave off drinking water after taking the medicine. For full directions see pamphlet around bottle. Use strictly according to directions and relief is certain to follow. Beware of Imitations Guarantee No. 937 Price 25 cents." (Blown in bottle) "Otto's Spruce Gum Balsam." The circular or pamphlet accompanying the article contained, among other things, the following statements: "The Most Pleasant and Reliable Remedy for Coughs, Colds, Croup and all Soreness of the Throat, Chest and Lungs." "Otto's Spruce Gum Balsam and Pine Tar Compound is not an expectorant, but will stop the cough almost immediately." "This remedy is a healing balsam and strengthening invigorator to the Throat, Chest and Lungs. It will always allay that unrestful feeling and put a stop to the heavy squeaking, asthmatic breathing, which precedes consumption. If you have La Grippe there is no remedy on earth that will cure you quicker than Otto's Spruce Gum Balsam and Pine Tar Compound. It will cure you permanently, and the use of it will give you stronger lungs and better general health than you have ever enjoyed." "Otto's Spruce Gum Balsam and Pine Tar Compound has proven to be the best Cough, Lung and Bronchial remedy yet produced by medical science and pharmaceutical skill, and if faithfully used that most dreadful disease Consumption is cured in its infancy. This remedy is a scientific compound and its virtues are largely due to the peculiar process by which the active principles are extracted and the skillful and well judged proportions with which they have been combined. The most stubborn coughs never fail to yield readily when this remedy is used. It cures them and cures them quickly."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was a sirupy preparation containing tar, chloroform (0.31 minim per fluid ounce), sugar, glycerin, ammonium chlorid, wild cherry, and water.

Misbranding of the article was charged in the indictment for the reason that: the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "* * * guaranteed to be better in all Lung troubles than any other remedy. Invaluable for Consumption. * * * heals the lungs and strengthens the respiratory organs," "A Valuable remedy for * * * Whooping Cough, Croup, * * * Asthma * * Consumption and Grip," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for lung troubles, and effective as a treatment for consumption, and effective for healing the lungs and strengthening the respiratory organs, and effective as a remedy for whooping cough, croup, asthma, consumption, and grippe; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for lung troubles, or effective as a treatment of consumption, or effective for healing the lungs, or strengthening the respiratory organs, or effective as a remedy for whooping cough, croup, asthma, consumption, or grippe. Misbranding was charged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "The Most Pleasant and Reliable Remedy for * * * Croup and all Soreness of the * * * Lungs," "This remedy is a healing balsam and strengthening invigorator to the Lungs. * * * If you have La Grippe there is no remedy on earth that will cure you quicker * * * It will cure you permanently, and the use of it will give you stronger lungs * * *," "Consumption is cured in its infancy," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for croup and all soreness of the lungs, and effective as a remedy for healing and strengthening the lungs, and effective as a cure for grippe, and effective for the cure of consumption in its infancy; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for croup or all soreness of the lungs, or effective as a remedy for healing or strengthening the lungs, or effective as a cure for grippe, or effective as a cure for consumption in its infancy, or at any stage of the said disease.

On May 10, 1915, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

4140. Adulteration of desiceated eggs. U. S. v. 1 Barrel of Desiceated Eggs.

Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6148. I, S. No. 265-k. S. No. E-171.)

On December 3, 1914, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of desiccated eggs, remaining unsold in the original unbroken package at Brooklyn, N. Y., alleging that the product had been shipped, on or about November 12, 1914, and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed and putrid food substance.

On January 20, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

Carl Vrooman, Acting Secretary of Agriculture.

4141. Misbranding of "Maple Balsam." U. S. v. Burks Medicine Co., a corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 6152, I. S. No. 8342-e.)

On June 14, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Burks Medicine Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 30, 1913, from the State of Illinois into the State of Wisconsin, of a quantity of "Maple Balsam" which was misbranded. The article was labeled: (On carton) "Serial Number 1346 Guaranteed under the Food and Drugs Act, June 30, 1906. Maple Balsam Compound Fortuna Honestum Opus Coronat Trade Mark Alcohol 12 Per Cent. Morphine 4 Grain Per Ounce. Chloroform 4½ Minims Per Ounce. For the Relief of Coughs, Colds, Hoarseness, Croup, Whooping Cough, Bronchitis, Spitting of Blood, Difficult Breathing and Incipient Consumption. Prepared only By Burks' Medicine Co. Sole Proprietors Chicago Price 25 cts. None Genuine Without Burks Medicine Co. D. W. Cressler, Sect. Trade Mark Fortuna Honestum Opus Coronat Trade Mark Fortuna Honestum Opus Coronat. We would especially call the attention of those in need of a Cough Remedy to the fact that this preparation is not only economical—having a greater number of doses—but that its therapeutic value consists chiefly in its advantage in allaying a cough, without causing any depression and drying up, but loosening, and producing a feeling of relief. It allays the irritability of the nervous system, and especially controls that tickling sensation of the throat, caused by an elongated uvala, which is so harassing and depressive to the system. Another feature of our Maple Balsam is that, unlike the many Cough Preparations in the market, it does not constipate. It relieves the causes of a cough in all its various stages without interfering in the least with the bowels. This formula was secured by painstaking and diligent research, after many trials, to find a remedy to satisfy the increasing demand for something to cure a cough; and in our Maple Balsam we have secured a remedy for the various affections and ailments of the throat, air passages and lungs. Testimonials daily give evidence of its wonderful work, giving health and comfort to thousands who suffer from this dreaded complaint." (In German) "Maple Balsam heals all throat and lung affections such as coughs, colds, hoarseness, croup, whooping cough, bronchitis, spitting of blood, difficult breathing, tendency to consumption. Mitigation for consumption in advanced stages since it procures for such the very necessary rest." (On bottle) "Maple Balsam Compound" "Alcohol 12 Per Cent; Morphine 1/4 grain, per ounce; Chloroform 4½ Minims per ounce. For the Relief of all Chest, Throat and Lung Diseases, such as Coughs, Colds, Hoarseness, Croop. Whooping Cough, Bronchitis, Spitting of Blood, Difficulty of Breathing, Incipient Consumption, and for the relief of Consumptive Patients in the advanced stages of the disease, by giving them much needed rest. Price 25 Cts. Burks Medicine Co. Chicago. Directions For children from 1 to 3 years old, 5 to 10 drops; 3 to 6 years old, 10 to 20 drops; 6 to 14 years old, 20 to 30 drops. Adults, one teaspoonful every 2 to 4 hours. In severe cases, one teaspoonful may be taken every hour until relieved. To be taken without diluting. Keep bottle corked. Shake the bottle." (Directions in German) (Blown in bottle) "Burks Medicine Co. New York and Chicago." The circular or pamphlet accompanying the article contained, among other things, the following statements: "Maple Balsam, for relieving coughs, colds, hoarseness, croup, bronchitis, influenza, incipient consumption and for the relief of consumptive patients in the advanced

stages of disease. Without doubt the most wonderful preparation of its kind in the world today. In this advanced stage of the science of medicine it can almost be safely said that no case of coughs, colds or consumption, and kindred diseases cannot be cured. This preparation which has such a marked effect in soothing and strengthening the bronchial tubes, allaying all inflammation, giving tone and strength to the lungs, and for the relief of bronchitis and asthmatic patients has never known to be equal. It is guaranteed to cure the most hopeless cases of all those dreaded diseases above mentioned. A few doses will relieve the asthmatic sufferer so as to produce in him a feeding of encouragement which will prompt him to continue its use until he is permanently cured." "Although this remedy is of incalculable usefulness in curing the milder forms of the throat and lung diseases, its superior excellence is only seen where it is given for the more formidable and dangerous affections of the lungs." "It is the true remedy for colds, coughs and all lung troubles."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the sample consisted essentially of a sirup containing 7.22 per cent alcohol, 59.05 per cent solids, 56.80 per cent sugars, 0.116 per cent ash, 0.36 per cent chloroform, and 2.13 per cent unidentified solids; no true balsam was present; morphine was present.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit: (On carton) (in German) "Maple * * * whooping Balsam heals all throat and lung affections such as cough * * * spitting of blood * * * tendency to consumption." bottle) "For the Relief of all * * * Throat and Lung Diseases, such as * * * Whooping Cough * * * Spitting of Blood * * * Incipient Consumption, and for the relief of Consumptive Patients in the advanced stages of the disease * * *," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the mind of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, in healing all throat and lung affections, and effective in healing whooping cough and spitting of blood, and effective as a preventive for consumption, and effective as a relief for all throat and lung diseases, and effective as a relief for whooping cough and spitting of blood, and effective as a treatment for the relief of incipient consumption, and effective as a treatment for the relief of consumptive patients in the advanced stages of consumption; when, in truth, and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, in healing all throat or lung affections, or effective in healing whooping cough or spitting of blood, or effective as a preventive for consumption, or effective as a relief for all throat or lung diseases, or effective as a relief for whooping cough or spitting of blood, or effective as a treatment for the relief of incipient consumption, or effective as a treatment for the relief of consumptive patients at any stage of consumption. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "Maple Balsam, for relieving * * * influenza, incipient consumption * * * In this advanced stage of the science of medicine it can almost be safely said that no case of * * * consumption, and kindred diseases cannot be cured. This preparation which has such a

marked effect in soothing and strengthening the bronchial tubes, * * * is guaranteed to cure the most hopeless cases of all those dreaded diseases above mentioned. A few doses will relieve the asthmatic sufferer so as to produce in him a feeling of encouragement which will prompt him to continue its use until he is permanently cured." "Although this remedy is of incalculable usefulness in curing the milder forms of the throat and lung diseases, its superior excellence is only seen where it is given for the more formidable and dangerous affections of the lungs." "It is the true remedy for * * * all lung troubles," were false and fraudulent in this, that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a relief for influenza, and effective as a cure for asthma, and effective as a cure for consumption, and effective as a remedy for all lung troubles; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a relief for influenza, or effective as a cure for asthma, or effective as a cure for consumption, or effective as a remedy for all lung trouble.

On June 30, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

Carl Vrooman, Acting Secretary of Agriculture.

4142. Misbranding of "Trafton's Balm of Life." U. S. v. Myra B. Cyphers. Plea of noio contendere. Fine, \$10. (F. & D. No. 6153. I. S. No. 8081-e.)

On June 23, 1915, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Myra B. Cyphers, St. Albans, Me., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 5, 1913, from the State of Maine into the State of Massachusetts, of a quantity of "Trafton's Balm of Life" which was misbranded. The product was labeled; (on carton) "Trafton's Balm of Life Put Up Only By Myra B. Cyphers, St. Albans, Me. This Medicine Contains 10 Per Cent Alcohol Cures: Asthma, Colds, Bronchitis, Coughs, Croup And All Diseases Tending to Consumption, Costiveness, Dropsy, Dyspepsia, Headache, Female Weakness, Palpitation of the Heart, Humors, Loss of Appetite, Poor Blood and General Debility. It Restores the Tone of the System, Gives Strength and Vigor to the Individual. Sent by Express to any who may Order Put up according to the Pure Food and Drugs Act, June 30th, 1906 One Bottle \$1.00, or Six Bottles for \$5.00 (New Label Adopted Jan. 1, 1907)" (On bottle) "Trafton's Balm of Life 10 Per Cent Alcohol Put up only by Myra B. Cyphers St. Albans, Maine Cures Asthma, Bronchitis, Croup, Coughs, Colds, and all Diseases of the Throat and Lungs, except Confirmed Consumption, Costiveness, Dyspepsia, Dropsy and General Debility. It Restores the Tone of the System, Creates Appetite and gives strength to the Body. A Sure Preventative of Consumption, if taken in Season. This is a New Medicine And its Cures are miraculous as shown by the many Testimonials. Directions—For male adults, one tablespoonful three times a day, directly after eating, and in Asthma, Bronchitis, Coughs, Colds, etc., another on going to bed. Females, about two-thirds the quantity; in many cases one teaspoonful is sufficient. Children ten years of age, one teaspoonful, one year of age one-half teaspoonful. Others in proportion according to age and constitution. Sent by Express to all who may order. One Bottle, \$1.00, or Six Bottles for \$5.00 (New Label Adopted Jan. 1, 1907.)" The circulars or pamphlets accompanying the article contained, among other things, the following statements: "Humors Completely eradicated by its use if taken in season. Cleanses the Blood and keeps the system free from Cancers, Tumors, Swellings, and all diseases arising from Impure Blood." "Heart Disease That distressing and dangerous complaint soon yields to the potent effects of the medicine. It has cured many of the worst cases as shown by the numerous testimonials. (See other side of this circular.)" "Rheumatism is soon cured by it, by purifying the blood."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	9. 75
Methyl alcohol: Absent.	
Solids (grams per 100 cc)	4, 70
Ash (grams per 100 cc)	4. 23
Iodids as potassium iodid (grams per 100 cc)	4.00
Acid resin (grams per 100 cc)	0.021
Alkaloids (grams per 100 cc)	0.006
Morphine and its derivatives; Absent.	
Cocaine and its derivatives; Absent.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On carton) "Trafton's Balm of Life * * * Cures: * * * Bronchitis * * * And All Diseases Tending to Consumption * * * Headache, Female Weakness, * * * ," (On "Trafton's Balm of Life * * * Cures * * * Bronchitis, bottle) Dropsy * * * A Sure Preventative of Consumption, if taken in Season. * * * And its Cures are miraculous as shown by the many Testimonials. * * *," were false and fraudulent in that same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of bronchitis and all diseases tending to consumption, headache, female weakness, and dropsy, and effective as a sure preventive of consumption if taken in season; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the cure of bronchitis and all diseases tending to consumption, headache, female weakness, and dropsy, or effective as a preventive of consumption. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circulars or pamphlets aforesaid, to wit, "* * * keeps the system free from Cancers, * * * and all diseases arising from impure blood," "Heart Disease * * * soon yields to the potent effects of the medicine. It has cured many of the worst cases * * *," "Rheumatism is soon cured by it, * * *" were false and fraudulent in that, by means of the said circulars or pamphlets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for preventing cancers and all diseases arising from impure blood, and effective for curing heart disease and rheumatism; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for preventing cancers or all diseases arising from impure blood, or effective for curing heart disease or rheumatism. Misbranding was alleged for the further reason that the circulars or pamphlets aforesaid bore another statement regarding the therapeutic or curative effects of the article, to wit, "Consumption cured", said statement being incorporated in the circulars or pamphlets aforesaid, in manner and form as follows, to wit, "Consumption Cured. 'East Dixmont. I was sick three years and the doctors called my disease Consumption. The last part of the time I coughed nearly or quite onehalf of the time day and night; was greatly reduced; could not dress myself without help. I had tried the best medical aid I could obtain, and every remedy recommended for consumption, with but little benefit, but when hope had almost fled, I was advised by a friend to try your Balm of Life. They said it had done great cures, so I obtained a bottle of your agent, Mr. Stevens, commenced according to directions, and began immediately to improve. In one week my cough was decidedly better; in one year I was entirely well. Mary Loud," which said statement was false and fraudulent in that it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the

minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the cure of consumption; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the cure of consumption.

On July 3, 1915, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

4143. Misbrauding of "Brown's '935' Injection (formerly H. W."). U. S. v. The Doctor Brown Co. Plea of guilty. Fine, \$75. (F. & D. No. 6157. I. S. No. 9357-e.)

On June 21, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Doctor Brown Co., a corporation, doing business at Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 10, 1913, from the State of Pennsylvania into the State of Colorado, of a quantity of "Brown's '935' Injection (formerly H. W.)" which was misbranded. The article was labeled: (On bottle) "Brown's '935' Injection Invaluable as a Preventative and in the Treatment of Chronic Gonorrhæa, Gleet, Whites, Etc. Directions Use as an injection three times a day Brown's Capsules should be used with this in order to thoroughly drive the disease out of the system. Their use will bring quicker results. If the bowels are costive, use Hope's Vegetable Liver Pills. For male and female Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 4223. Will not cause stricture and does not stain The Doctor Brown Company sole manufacturer Philadelphia, Pa." (On carton) "Brown's '935' Injection (formerly H. W.) Invaluable as a Preventive and in the Treatment of Chronic Gonorrhæa, Gleet, Whites, Etc. Directions Use as an injection three times a Brown's Capsules should be used with this in order to thoroughly drive the disease out of the system. Their use will bring quicker results. If the bowels are costive use Hummell's Vegetable Liver Pills. Guaranteed by the Doctor Brown Company under the Food and Drugs Act, June 30, 1906. Serial No. 4223. The Doctor Brown Company Sole Manufacturer, Philadelphia, Pa. Price \$1.00 Brown's '935' Injection is for Males For Females, use Dr. Brown's Alkaline Antiseptic Powder Brown's Blood Treatment Should be used after all cases of acute or chronic Gonorrhea to clean the blood of impurities and put the system in healthy condition. Price ___\$2.00 a bottle; six bottles for \$10.00, Manufactured by The Doctor Brown Company 935 Arch St., Philadelphia, Pa. Will not cause stricture, and does not stain." The circulars or pamphlets accompanying the article contained, among other things, the following statements; "A Preventive and a Certain and Speedy Remedy for Chronic Gonorrhea, Gleet, Whites, Etc." "Hemorrhoids, (or Piles)—Dr. Brown's '935' Injection, used with a syring in every condition of Hemorrhoids or Piles, it will bring immediate relief, causing the congested blood to flow out of the parts, and the mucous membrane will immediately yield to the astringent and antiseptic properties of this remedy. About 1/2 ounce of this solution should be injected into the rectum after each movement of the bowels and only upon retiring. Other hygienic conditions at the same time should be followed out."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the substance to be a dilute solution of acetate and sulphate of zinc.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, included in the circulars or pamphlets aforesaid, to wit, "A Preventive *** for *** Gonorrhæa. ***." "Hemorrhoids. (or Piles)—Dr. Brown's '935' Injection, used with a syring in every condition of Hemorrhoids or Piles, it will bring immediate relief, causing the congested blood to flow out of the parts, and the mucous membrane will immediately yield to the astringent and antiseptic properties of this remedy. ***," were false and fraudulent in that, by means of the said circulars or pamphlets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so

as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the prevention of gonorrhæa, and effective for the immediate relief of, and as a remedy in every condition of, hemorrhoids or piles; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the prevention of gonorrhea, or effective for the relief of, or as a remedy in every condition of, hemorrhoids or piles.

On June 23, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75.

4144. Misbranding of "Wastemo." U. S. v. Wastemo Chemical Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6159. I. S. No. 8216-e.)

On June 15, 1915, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wastemo Chemical Co., a corporation, Springfield, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 7, 1913, from the State of Illinois into the State of Tennessee, of a quantity of "Wastemo" which was misbranded. The article was labeled: (On carton) "Wastemo This preparation will instantly relieve pain. Apply on any painful, wounded or bruised surface and if it does not relieve you, your druggist will cheerfully refund the money you have paid. Price \$1.00 Wastemo Chemical Company, Springfield, Ill. Wastemo Relieves Pain Wastemo for Burns Wastemo Trade Mark For Pains, Burns, Aches, Tonsilitis, Neuralgia, Headache, Bronchitis, La Grippe, Pneumonia, Rheumatism Price \$1.00 Wastemo Chemical Company, Springfield, Ill. Guaranteed by Wastemo Chemical Co. under the Food and Drugs Act, June 30, 1906. Serial No. 22789." (On bottle) "Wastemo Trade Mark An external application for all Acute or Chronic, Inflammatory, Congested or Painful Conditions. Directions. Apply from ten to thirty drops over the affected parts and rub vigorously until the surface is thoroughly dry. Shake Well Before Using. Use every two to twelve hours as necessary. Guaranteed by Wastemo Chemical Co. under the Food and Drugs Act, June 30, 1906. Serial No. 22789 Price \$1.00. Wastemo Chemical Co. Springfield, Ill. Wastemo How To Use It. For Rheumatism, Sciatica, Lumbago—Five to 30 drops applied on afflicted parts. Rub gently until skin is dry. Repeat as often as necessary until pain disappears. For Colds, Bronchitis, Pleurisy, Pneumonia — Fifteen to 30 drops. Rub thoroughly into the skin. In severe cases frequent applications are necessary. For Catarrh - Inhale as often as necessary. For Neuralgia, Headaches -- Place a few drops of Wastemo in palm of hand and rub gently over seat of pain. One or two applications should be sufficient to relieve. For Burns, Scalds, Sprains, Bruises, Insect Bites, Stings, etc.—Cover sore spots and rub gently. For Insomnia — Apply a few drops along side of spinal column and rub until dry. For Sore Throat, Tonsilitis, etc. - Swab the interior of the throat and tonsils with Wastemo. Repeat this treatment 3 or 4 times if necessary. A small camel's hair brush, with a handle 6 to 8 inches in length, makes a good swab. Should such a brush be unavailable, wrap a little absorbent cotton around the end of a penholder or a small stick about the same length. For Painful, Swollen Feet — After bathing feet in cool or tepid water, dry them and apply a few drops of Wastemo to swollen or aching parts and rub until dry. Guaranteed under the Food and Drug Act, June 30th, 1906 Serial No. 22789 Price One Dollar Wastemo Chemical Company Springfield, Illinois" The booklets accompanying the article contained, among other things, the following statements: "Affords instant relief from pain in all cases of Rheumatism, Neuralgia, Pneumonia, Bronchitis, Catarrh, Colds, Sore Throat, La Grippe, Lumbago, Sciatica, Headache, Pleurisy, Tonsilitis, Sprains, Burns, Bruises, Bites and Stings." "Wastemo The greatest boon for rheumatic sufferers the world has ever known. You cannot be cured of Rheumatism by internal dosing - physicians, if they are honest, will tell you so. There is but one way to obtain permanent relief and that is by the application of Wastemo, now admitted to be the world's greatest remedy for acute, chronic and sciatic Rheumatism. Read, on the next page, how quickly and how soothingly Wastemo relieves all forms of rheumatic pains." "For Insomnia. - Only those who have lain awake night after night vainly trying to woo restful sleep, know how

distressful Insomnia really is. In cases of sleeplessness and nervousness, a few drops of Wastemo applied along the spinal column and rubbed until dry will induce a quiet natural sleep. * * * " "For Sore Throats.—Wastemo Acts Instantly In cases of sore throat and tonsilitis, swab the interior of the throat and tonsils with Wastemo. It produces a cooling sensation and relieves the soreness instantly. Three or four such applications will permanently cure the most severe and most painful cases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be essentially a mixture of water, oil of mustard, and camphor held in suspension by some emulsifying agent.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, included in the booklets aforesaid, to wit, "Affords instant relief from pain in all cases of Rheumatism, * * * Pneumonia, Bronchitis, Catarrh, * * * La Grippe, * * * Sciatica, * * * Pleurisy, Tonsilitis, * * *" "The greatest boon for rheumatic sufferers the world has ever known. You cannot be cured of Rheumatism by internal dosing—physicians, if they are honest, will tell you so. There is but one way to obtain permanent relief and that is by the application of Wastemo, now admitted to be the world's greatest remedy for acute, chronic and sciatic Rheumatism. Read, on the next page, how quickly and how soothingly Wastemo relieves all forms of rheumatic pains," "For Insomnia * * * a few drops applied along the spinal column and rubbed until dry will induce quiet natural sleep," "* * * Wastemo Acts Instantly In cases of * * * tonsilitis, swab the interior of the throat and * * * Three or four such applications will pertonsils with Wastemo. manently cure the most severe and most painful cases," were false and fraudulent in this, that, by means of the said booklets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for affording instant relief from pain in all cases of rheumatism, pneumonia, bronchitis, catarrh, grippe, sciatica, pleurisy, tonsilitis, and effective for permanently relieving rheumatism and all forms of rheumatic pains, and effective as a remedy for insomnia, and effective for curing the most severe cases of tonsilitis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain ingredients or medicinal agents effective, among other things, for affording relief from pain in all cases of rheumatism, pneumonia, bronchitis, catarrh, grippe, sciatica, pleurisy, or tonsilitis, or effective for permanently relieving rheumatism or all forms of rheumatic pains, or effective as a remedy for insomnia, or effective for curing tonsilitis.

On September 3, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

4145. Adulteration and misbranding of bran. U. S. * * * v. 400 Sacks of Bran, more or less. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 6167. I. S. No. 81-k, S. No. E-172.)

On December 11, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of bran, more or less, remaining unsold in the original unbroken packages, at Hagerstown, Md., alleging that the product had been shipped and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Morris City Mills Bran Crude Protein 15.7% Crude Fat 4.4% S. Stewart, Morris, Minn."

Adulteration of the article was alleged in the libel for the reason that it contained a total of 5.2 per cent foreign material, to wit, a mixture of chaff and screenings which had been mixed with and substituted for bran.

Misbranding was alleged for the reason that the label contained the word "Bran," when, in truth and in fact, the product contained a material percentage of screenings and other foreign materials which were not declared upon the label.

On January 9, 1915, the Morris City Mills, S. Stewart, proprietor, Morris, Minn., claimant, having filed his answer, and the court having considered the same with the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$800, in conformity with section 10 of the act, one of the conditions being that the product should be properly rebranded.

4146. Misbranding of codeline sulphate and heroin hydrochlorid tablets.

U. S. v. George H. Gould. Plea of guilty to counts 1 and 2 of the information. Fine, \$50 and costs. Third count of information nolle prossed. (F. & D. No. 6171. I. S. Nos. 11307-e, 11308-e, 11309-e.)

On March 16, 1915, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in three counts against George H. Gould, Louisville, Ky., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 4, 1913, of quantities of codeine sulphate and heroin hydrochlorid tablets which were misbranded. The codeine sulphate tablets were labeled: (On bottle) "1000 Tablets Codeine Sulphate 1/4 Grain. Poison. Guaranteed by Geo. H. Gould, under the Food and Drugs Act, June 30th, 1906. Serial No. 14208. From the laboratory of Geo. H. Gould, Pharmaceuticals, Louisville, Ky."

Analysis of a sample of this product by the Bureau of Chemistry showed the presence of codeine sulphate in one average tablet, 0.19 grain.

Misbranding of the article was alleged in the first count of the information for the reason that each of the tablets contained, to wit, 0.19 grain of codeine sulphate, an opium derivative, and the packages inclosing the same failed to bear a statement of the quantity or proportion of codeine contained therein. Misbranding was alleged for the further reason that the following statement, appearing on the label aforesaid, "1000 Tablets Codeine Sulphate 1/4 Grain," was false and misleading in that it indicated to the purchasers thereof that each of said tablets contained 1/4 of a grain of codeine sulphate, when, in truth and in fact, each of the tablets did not contain 1/4 of a grain of codeine sulphate, but contained a less amount thereof, to wit, 0.19 grain.

Part of the heroin hydrochlorid tablets were labeled: (On bottle) "1000 Tablets Heroin Hydrochloride 1/6 Grain. Poison. Guaranteed by Geo. H. Gould. under the Food and Drugs Act, June 30th, 1906. Serial No. 14208. From the laboratory of Geo. H. Gould, Pharmaceuticals, Louisville, Ky."

Analysis of a sample of this product by said Bureau of Chemistry showed the presence of heroin hydrochlorid in one average tablet, 0.128 grain.

Misbranding of the article was alleged in the second count of the information for the reason that each of the tablets contained, to wit, 0.128 grain of heroin hydrochlorid, and the package inclosing the same failed to bear a statement of the quantity or proportion of heroin contained therein. Misbranding was alleged for the further reason that the following statement, appearing on the label aforesaid, to wit, "1000 tablets Heroin Hydrochloride 1/6 Grain," was false and misleading in that it indicated to the purchasers thereof that each of said tablets contained 1/6 of a grain of heroin hydrochlorid, when, in truth and in fact, each of said tablets did not contain 1/6 of a grain of heroin hydrochlorid, but contained a less amount of heroin hydrochlorid, to wit, 0.128 grain.

Part of the heroin hydrochlorid tablets were labeled: (On bottle) "1000 Tablets Heroin Hydrochloride 1/12 Grain. Poison. Guaranteed by Geo. H. Gould, under the Food and Drugs Act, June 30th, 1906. Serial No. 14208. From the laboratory of Geo. H. Gould, Pharmaceuticals, Louisville, Ky."

Analysis of a sample of this product by said Bureau of Chemistry showed the presence of heroin hydrochlorid, 0.0686 grain per tablet.

Misbranding of this article was alleged in the third count of the information for the reason that each of the tablets contained, to wit, 0.0686 grain heroin hydrochlorid, and the package inclosing the same failed to bear a statement of the quantity or proportion of heroin contained therein. Misbranding was alleged for the further reason that the article was labeled "1000 Tablets Heroin Hydro-

chloride 1/12 Grain" [which labeling] was false and misleading in that it indicated to the purchasers thereof that each of said tablets contained 1/12 of a grain of heroin hydrochlorid, when, in truth and in fact, each of the said tablets did not contain 1/12 of a grain of heroin hydrochlorid, but did contain a less amount thereof, to wit, 0.0686 grain.

On September 3, 1915, the defendant entered a plea of guilty to the first and second counts of the information, and the court imposed a fine of \$50 and costs. The third count of the information was nolle prossed.

4147. Misbranding of "Mansfield's Mississippi Diarrhea Cordial." U. S. v. Van Vleet-Mansfield Drug Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6176. I. S. No. 7822-e.)

On June 21, 1915, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Van Vleet-Mansfield Drug Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 6, 1913, from the State of Tennessee into the State of Texas, of a quantity of "Mansfield's Mississippi Diarrhea Cordial" which was misbranded. The article was labeled: (On carton) "Mansfield's Mississippi Trade Mark Registered Diarrhea Cordial (Contains Alcohol 31% Opium 1–1/10 grain to ounce) A Rapid Reliable Remedy for Cholera, Cholera Morbus, Diarrhæa, Dysentery, Colic, Flux, and Looseness of the Bowels. Purely Vegetable in its Composition and prepared at our Laboratory as per formula on back of this carton. Van Vleet-Mansfield Drug Company Sole Proprietors Memphis, Tenn. Price 50 cts. Per Bottle. The soothing and healing influence of the Mississippi Diarrhea Cordial is almost instantaneously felt; and within a few minutes after taking it, the sufferer from any of the disorders which it professes to cure is deriving the benefit of a true remedy. It acts upon the internal surfaces with which it comes in contact like an emollient, quieting the whole system, and producing a healthy action in the digestive and secretive organs. Van Vleet-Mansfield Drug Co. Sole Proprietors. Statement To Physicians and the General Public in Regard to the Component Parts of Our Proprietary Medicines: These Preparations are, as a rule, compounded from well-tried prescriptions of reputable physicians, hence their remarkable efficacy; but knowing the proper prejudice of many against using any medicines prepared from concealed formulas, and to protect the public against the many nostrums and worthless preparations with which the market is flooded, we have concluded on the request of a number of physicians, who are aware of the great value of our preparations, and who desire to prescribe same in their practice, to indicate on each bottle of what the medicines are composed: In regard to our Mississippi Diarrhæa Cordial, beg to advise that the active remedial agents are as follows:-Camphor, Logwood, Krameria, Nutgalls, Tincture Opium and Oil Peppermint. Our Mississippi Diarrhea Cordial is prepared from the prescription of a physician, Dr. S. Mansfield, who successfully used it forty or fifty years ago in his practice among Mississippi river steamboat men, hence the name and our Steamer trade-mark. At this date, in the year 1901, the Government Civil Engineers in charge of Mississippi river and harbor improvements use nothing else in the treatment of diseases where indicated. Van Vleet-Mansfield Drug Co. By the use of the Mississippi Diarrhea Cordial, Diarrhea, one of the most fatal dseases known in the Valley of the Mississippi, is rapidly controlled hence its name. It will, when taken according to directions, most assuredly prove beneficial in all cases of Cholera, Colic, Cholera Morbus, Dysentery, and all diseases of the bowels. It is prescribed by the first Western and Southern Physicians, and used in the hospitals of the country, as a standard remedy. Many thousands of citizens and travelers have been cured by the use of this cordial, and it may properly be termed the Great Medicine of the South and West. Van Vleet-Mansfield Drug Co. Sole Proprietors Guaranteed under Pure Food and Drugs Act, June 30, 1906. Serial number 2165. Van Vleet-Mansfield Drug Co., Memphis." (On bottle) "Mansfield's Mississippi Diarrhea Cordial Alcohol 30% Opium 1-1/10 grain to ounce For Diarrhea, Cholera Morbus, Cholera, Cramp, Colic and Dysentery. Shake well before using. Directions Dose—For an adult, 1 tablespoonful; child 12 years old, 1 teaspoonful; child 6 years old, half teaspoonful; child 3 years old, 40 drops; child 1 year old, 20 drops. To be repeated always after each operation. The dose may be increased or lessened according to the violence of the case. Price 50 Cents Guaranteed by Van Vleet-Mansfield Drug Co., under the Food and Drugs Act, June 30, 1906. Serial No. 2165. From the Laboratory of Van Vleet-Mansfield Drug Co. Memphis, Tenn." The circular or pamphlet accompanying the article contained, among other things, the following statements: "A Perfectly Reliable and Dependable Remedy for Dysentery, Flux, Summer Complaint, Diarrhæa, Colic, Irritated Bowels, Cramps, Looseness, Cholera Morbus." "Not content alone with checking the disease and acting as a temporary stimulant, it strikes at the very root of the disease, and by its special action on the gastric juices, revives the drooping spirit and restores the natural functions of the body to buoyancy and health, in all affections of the digestive apparatus and bowels."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be a hydroalcoholic solution of opium, sugars, oil peppermint, and logwood extractives; it contained 29.4 per cent by volume of alcohol.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle and carton) "A Rapid Reliable Remedy for Cholera, * * Diarrhæa, Dysentery, * * *," "The * * healing influence of the Mississippi Diarrhœa Cordial is almost instantaneously felt; and within a few minutes after taking it, the sufferer from any of the disorders which it professes to cure is deriving the benefit of a true remedy. It acts upon the internal surfaces with which it comes in contact like an emollient, quieting the whole system, and producing a healthy action in the digestive and secretive organs," "It will, when taken according to directions, most assuredly prove beneficial in all cases of Cholera, Colic, Cholera Morbus, Dysentery, and all diseases of the bowels," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for cholera, diarrhea and dysentery, and effective as a remedy for all diseases of the bowels; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for cholera, diarrhea, or dysentery, or effective as a remedy for all diseases of the bowels. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "A Perfectly Reliable and Dependable Remedy for Dysentery, * * * Diarrhea * * *," "Not content alone with checking the disease and acting as a temporary stimulant, it strikes at the very root of the disease, and by its special action on the gastric juices, revives the drooping spirit and restores the natural functions of the body to buoyancy and health, in all affections of the digestive apparatus and bowels," were false and fraudulent in that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole

or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for dysentery and diarrhea, and effective as a remedy for all affections of the digestive apparatus and bowels; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for dysentery or diarrhea, or effective as a remedy for all affections of the digestive apparatus or bowels.

On June 28, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

4148. Misbranding of "Quakor Oil." U. S. v. Katherine Morris (Quakor Oil Co.). Plea of guilty. Fine, \$5. (F. & D. No. 6179. I. S. No. 11203-e.)

On August 26, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Katherine Morris, trading as the Quakor Oil Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 5, 1913, from the State of New York into the State of Missouri, of a quantity of "Quakor Oil" which was misbranded. The article was labeled: "Quakor Oil The New Discovery and Germicide For Colds in the Head, Catarrh, Asthma, Hay Fever, and all Bronchial Troubles Taken internally for Colic, Flatulency, Indigestion, Sour Stomach, Heart Burns, etc. Used as a liniment it will relieve Bruises, Sprains, Sick Headache, Neuralgia, Sciatica, Rheumatism and Sore Throat. This remedy is not a Cathartic and is perfectly harmless. A single trial will convince you of its wonderful properties. Price 25c. None genuine without this signature: Prepared from the original formula for Quakor Oil Co. New York. No. 3530 Guaranteed by Quakor Oil Co. under the Food and Drugs Act, June 30, 1906. Directions for using Quakor Oil. For Cold in the Head, Asthma, Catarrh, etc., rub one drop in each nostril several times daily and on retiring at night. For stomach troubles such as Colic, Indigestion, Etc., take two to three drops in sugar after each meal. For Bruises, Neuralgia, Rheumatism, etc., use as a liniment, rubbing the part thoroughly several times daily. The first application gives relief." The circular or pamphlet wrapped around the bottles contained, among other things, the following statements: "Which is your trouble? How easy to overcome! Read Carefully! Colds, Coughs, Asthma, Bronchitis, Consumption, Hay Fever, Catarrh, Grippe, Malaria, Pneumonia, and all Diseases of the Head and Throat, Mouth-Breathing. Directions for Speedy Relief Moisten the finger wth one drop of Quakor Oil, insert into the nostril and inhale thoroughly, rubbing inside the nostril thoroughly with the finger while inhaling. Two drops of Quakor Oil on Sugar, swallowed slowly after each meal, purifies the entire system. Throat. All throat troubles will speedily disappear if a few drops of Quakor Oil are rubbed on the outside of the throat at night on retiring; also a drop inserted in each nostril. Constipation. Quakor Oil used inwardly on sugar, by purifying the system and relieving Dyspepsia, will in time do away with Constipation; * * *. Corpulency. Two drops of Quakor Oil used inwardly on sugar will overcome Indigestion and promote proper assimilation of food, when Corpulency, which is caused by defective nutrition, will be absolutely impossible. Pimples. Bathe the parts at night on retiring with hot water, and dry with a soft towel, after which moisten the finger with Quakor Oil and gently rub the eruption. This will also apply to Mosquito Bites, Sunburn and all skin diseases. Two drops of Quakor Oil on sugar after meals will purify the blood and prevent a reappearance. Piles, Two or three drops taken inwardly on sugar will purify the system and remove the primary cause of Piles. Rheumatism. Bathe the afflicted parts with hot water and dry with a soft towel. Before thoroughly dry, moisten the finger-tips with the Quakor Oil and rub the parts gently but firmly, until the oil is absorbed. As this is a disorder of the blood, two drops on sugar taken inwardly after each meal will purify the system. Deafness. Quakor Oil is a sure relief, if not a cure of Deafness because in most cases this ailment is the result of Chronic Catarrh and we know there is no agent yet discovered which will so quickly relieve this common complaint, so advise every one so troubled to try it. Eye and Ear. Quakor Oil would not be a good thing to put directly in the eye, but where the trouble is the outcome

of Catarrh Quakor Oil, by removing the cause, will bring relief. We know it is a wonderfully good thing for Earache and Deafness. Croup. This will immediately yield to a drop inserted in each nostril. Also rub the throat thoroughly with Quakor Oil, first bathing with hot water and drying with a soft towel. General. For all internal troubles two drops taken on sugar after meals and swallowed slowly will purify the entire system in a very short time by removing all diseased germs, which cannot live in the same air as Quakor Oil."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that this preparation consisted of about 94 per cent of a fixed bland vegetable oil, perhaps largely sesame oil, and about 6 per cent of camphor and menthol or peppermint oil.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Quakor Oil * * for * * all Bronchial Troubles," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all bronchial troubles; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all bronchial troubles. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "Which is your trouble? How easy to overcome! Read Carefully! * * Asthma, Bronchitis, Consumption, Hay Fever, Catarrh, Grippe, Malaria, Pneumonia, and all Diseases of the Head and Throat, * * Directions for Speedy Relief. Moisten the finger with one drop of Quakor Oil, insert into the nostril and inhale thoroughly, rubbing inside the nostril thoroughly with the finger while inhaling. Two drops of Quakor Oil on Sugar, swallowed slowly after each meal, purifies the entire system. * * * All throat troubles will speedily disappear if a few drops of Quakor Oil are rubbed on the outside of the throat at night on retiring; also a drop inserted in each nestril. Piles. Two or three drops taken inwardly on sugar will purify the system and remove the primary cause of Piles. * * * Rheumatism. * * * As this is a disorder of the blood, two drops on sugar taken inwardly after each meal will purify the system. * * Deafness. Quakor Oil is a sure relief, if not a cure of Deafness because in most cases this ailment is the result of Chronic Catarrh and we know there is no agent yet discovered which will so quickly relieve this common complaint, * * * Ear * * * where the trouble is the outcome of Catarrh Quakor Oil, by removing the cause, will bring relief. We know it is a wonderfully good thing for Earache and Deafness. Croup. This will immediately yield to a drop inserted in each nostril, * * * For all internal troubles two drops taken on sugar after meals and swallowed slowly will purify the entire system in a very short time by removing all diseased germs, * * * " were false and fraudulent in this, that, by means of said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds

of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for asthma, bronchitis, consumption, hay fever, catarrh, grippe, malaria, pneumonia, and effective as a relief for consumption, grippe, malaria, pneumonia, and all diseases of the head and throat, and offective as a remedy for all throat troubles, and effective as a remedy for piles, and effective as a remedy for rheumatism, and effective as a remedy for deafness, and effective as a relief for deafness, and effective as a remedy for croup, and effective for purifying the entire system, and effective for removing all germs of disease; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for asthma, or bronchitis, or consumption, or hay fever, or catarrh, or grippe, or malaria, or pneumonia, or effective as a relief for consumption, or grippe, or malaria, or pneumonia, or all diseases of the head and throat, or effective as a remedy for all throat troubles, or effective as a remedy for piles, or effective as a remedy for rheumatism, or effective as a remedy for deafness, or effective as a relief for deafness, or effective as a remedy for croup, or effective for purifying the entire system, or effective for removing all germs of disease.

On August 31, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

Carl Vrooman, Acting Secretary of Agriculture.

4149. Misbranding of "Dr. Greene's Nervura." U. S. v. Frank A. Greene et al. (Drs. F. A. and J. A. Greene). Plea of nolo contendere. Fine, \$50. (F. & D. No. 6183. I. S. No. 9570-h.)

On March 11, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank A. Greene and Jarad A. Greene, trading as Drs. F. A. and J. A. Greene, Boston, Mass., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 4, 1914, from the State of Massachusetts, into the State of New York, of a quantity of "Dr. Greene's Nervura" which was misbranded. The product was labeled (On carton) "This Style Adopted 1907. Dr. Greene's Nervura Trade Mark. Blood and Nerve Remedy 18 Per Cent. Alcohol. For Nervousness, Nervous Debility, Weakness, Poor Blood, Kidney and Liver Complaints, Rheumatism, Neuralgia, Female Weakness, Malaria, Chills and Fever, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Paralysis, Numbness, Trembling, Pains in the side and back, Apoplexy, Epileptic Fits, St. Vitus Dance, Palpitation, Nervous and Sick Headache, Dyspepsia, Indigestion, Loss of Appetite, Constipation, and all Affections of The Nervous System. Dose. Adults.—Two to three teaspoonfuls after each meal, in a little water. Children.—One-half to a teaspoonful after each meal, in a little water. Infants.—One-quarter teaspoonful, in a little water, three times a day. If you have Constipation, Torpid Liver and Biliousness, you should take Dr. Greene's Laxura Cathartic Pills in connection with Nervura. They are the best pills in the world,—small, sugar-coated, easy to take, certain and pleasant to act. 25 Cents at Druggists. Prepared by Drs. F. A. & J. A. Greene At their Medical Offices and Laboratories. 9 W. 14th Street, New York City. 597 Albany Street, Boston, Mass. Price, \$1.00." (On back) "Warranted Purely Vegetable Dr. Greene's Nervura Blood & Nerve Remedy contains no poisonous minerals nor injurious drugs. Twelve Fluid Ounces Dr. Greene's Nervura Blood and Nerve Remedy Office and Laboratory 597 Albany Street Boston, Mass. Grain Alco-This amount is necessary to extract and hold in solution the medicinal virtues and curative properties of the herbs, roots, leaves and barks from which Dr. Greene's Nervura is made. If objectionable on principle, expose each dose in a glass for a few moments before taking and the few drops contained therein will evaporate. Guaranteed by Drs. F. A. & J. A. Greene, Under the Food and Drugs Act of June 30, 1906, and Guaranty Filed with the Secretary of Agriculture at Washington, D. C. Serial No. 150." (On sides) "For Nervous Debility, Rheumatism, Neuralgia, Kidney Complaints, Palpitation of the Heart, Female Weakness, Nervous and Sick Headache, Dyspepsia, Distress after Meals, Indigestion, Liver Troubles, Gas and Bloating, Constipation, Epileptic Fits, St. Vitus Dance. For Tired Feeling, Nervousness, Weakness, Poor Blood, Malaria, Chills and Fever, Nervous Prostration, Sleeplessness, Despondency, Melancholia, Loss of Appetite, Mental Depression, Apoplexy, Paralysis, and All Nervous Diseases." (On top and bottom flaps, dosage in two foreign languages) (On bottle) "Dr. Greene's Nervura 18 Per Cent Alcohol This amount is necessary to extract and hold in solution the medicinal virtues of the herbs, roots, leaves and barks from which Dr. Greene's Nervura is made. Pure grain alcohol is used. It is not only perfectly harmless when compounded as above, but is very beneficial, as it adds a mild strengthening tonic effect, which is permanently maintained by the curative properties of the remedy. If alcohol is objectionable on principle, please expose each dose in a glass or saucer for a few moments before taking, and the few drops contained therein will evaporate. Guaranteed under the Pure Food and Drug Act of June 30, 1906, and guaranty

filed with the Secretary of Agriculture at Washington, D. C. Serial No. 150. Dose Adults—Two to three teaspoonfuls, in a little water, after each meal. Children—One-half to one teaspoonful, in a little water, after each meal. Prepared by Drs. F. A. & J. A. Greene 9 West 14th St. New York 597 Albany St. Boston"

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	18.70
Solids (grams per 100 cc)	5. 219
Ash (grams per 100 cc)	0.416
Celery, ginger, and other unidentified vegetable material: Inc	licated.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Dr. Greene's Ner-* * Blood and Nerve Remedy * * * For .* * * Rheumatism, * * * Malaria, Chills and Fever, * * * Paralysis, * * * Apoplexy, Epileptic Fits, St. Vitus Dance, * * * and all Affections of the Nervous System," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, malaria, chills and fever, paralysis, apoplexy, epileptic fits, St. Vitus's dance, and all affections of the nervous system; when, in truth and in fact, the said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, malaria, chills and fever, paralysis, apoplexy, epileptic fits, St. Vitus's dance, or all affections of the nervous system.

On March 16, 1915, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25 upon each defendant, or an aggregate fine of \$50.

4150. Misbranding of "Johnson's Chill and Fever Tonic." U. S. * * * v. The Johnson's Chill and Fever Tonic Co., a corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 6184. I. S. Nos. 6056-e, 7068-e.)

On July 17, 1915, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Johnson's Chill and Fever Tonic Co., a corporation, Savannah, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 21, 1912, from the State of Georgia into the State of North Carolina, and on October 31, 1912, from the State of Georgia into the State of Florida, of quantities of "Johnson's Chill and Fever Tonic" which was misbranded. The article was labeled: (On carton) "Johnson's Chill and Fever Tonic (Trade Mark) The Texas Cure A Guaranteed Remedy for the following diseases: 1st—Chills and Fever, 2d—Bilious Fever, 3d— Dengue Fever, 4th—Hemorrhagic Fever, 5th—Typhoid Fever, 6th—Swamp Fever, 7th—Measles, 8th—Neuralgia, 9th—La Grippe, Price 50 Cents Sole Manufacturer The Johnson's Chill and Fever Tonic Co. Savannah, Ga. Registered in Patent Office." (On back of carton) "'Brookside, Ala., May 4, 1903. The two physicians here had three very obstinate cases of continued Malarial Fever. All three were Italians and lived on a creek about 50 yards from my store. These cases were of three months' standing, their temperature ranging from 100 to 104. The doctors had tried everything in vain. I persuaded them to let me try Johnson's Tonic. I removed all the printed matter and let the medicine go out in a plain bottle as a regular prescription. The effect in all three cases was immediate and permanent. They recovered rapidly and there was no recurrence of the Fever.' L. R. Shiflett. Contains No Alcohol, No Quinine, No Arsenic, No Mercury, No Aconite, No Strychnine, No Veratrum, No Acetanilid, No Antipyrine, No Phenacetine, A Simple, harmless remedy with superb and splendid control over all forms of Fever. Reducing the temperature only by expelling the producing cause. Use no Heart Depressents Gives Appetite Renews Health Restores Vitality. We believe it to be 100 times better than Quinine, 100 years ahead of the Times." (On sides of carton) "Hear What a Conscientious Doctor Says. A Letter from Graniteville, S. C. 'At the age of 50, with 25 years of active practice, I am a careful observer and cautious in endorsing proprietary medicines, but I can conscientiously endorse your Johnson's Chill and Fever Tonic as one of the best combination remedies for Chill and Fever I have ever used. It corrects the vitiated secretions of the liver, relieves costiveness, and promotes the absorption and assimilation of food, thus fulfilling all the indications claimed for it. Yours truly, T. P. Elwards, M. D.' 'Office of Caldwell Commission Co., Chicago, Ill., January 21st, 1890. Dear Sir—My son, a man of thirty years, was attacked with La Grippe, and believing it to be of malarial origin, took your Johnson's Tonic as directed for Chills and Fever. The result was he escaped the Fever which follows the severe aching, and was able to be at work the second day. I was taken with the disease. Every bone in me began to ache, and my suffering was great. I was compelled to go home and to bed. I fully expected to be there a week. My son told me of his experience, and urged me to take Johnson's Chill and Fever Tonic. I did so—took it with regularity all through the night—and was agreeably surprised to see that no Fever came. I continued until I had taken eight doses-felt weak and exhausted, but no fever, and aching disappeared. Next morning I had a good appetite for my breakfast, and felt quite well, and went to my business as well as I ever was. Since then I have tried it with like results on two other cases. Yours truly, W. W. Caldwell, President and

Manager.' A Positive Guarantee What we mean by a Positive Guarantee is this: If this particular bottle of Johnson's Chill and Fever Tonic does not cure you and please you in every way, then the dealer from whom you bought it is authorized by us to give you back your money and should he decline to do so, make your claim on us and we will pay it. We require no written statements, no affidavits and no proof. We never ask questions but we always pay claims promptly. The Johnson's Chill and Fever Tonic Co., Savannah, Ga." (On top flap) "Guaranteed by The Johnson's Chill and Fever Tonic Co., under the Food and Drugs Act, June 30, 1906, Serial No. 3943. We are earnest, sincere and personal believers in Johnson's Chill and Fever Tonic Co., Sayannah, Ga." bottom flap) "We Believe this is The World's Greatest Fever Medicine." (On bottle) "Johnson's Chill and Fever Tonic Guaranteed by the Johnson's Chill & Fever Tonic Co., under the Food and Drugs Act, June 30th, 1906. Serial No. (Trade Mark) The Texas Cure Directions—For an adult, 2 teaspoonfuls every three hours; for children between 10 and 14 years of age. $1\frac{1}{2}$ teaspoonfuls; between 6 and 10 years, 1 teaspoonful; for children under 6 years, according to age. After the fever is broken, continue as a tonic in half the above doses, 3 times a day. Shake the Bottle. Price, 50 Cents. Manufacturers The Johnson's Chill & Fever Tonic Co. Savannah, Ga. istered in Patent Office)." (Blown in bottle) "Johnson's Chill and Fever Tonic." The booklet accompanying the article included, among other things, the following statements: "At Cedartown, Ga., a man lost a child with Typhoid Fever and saw an advertisement of ours in the Christian Advocate and wrote and asked us if the Tonic would cure Typhoid Fever. We told him it would. He sent for a bottle for his second child and it cured him. Then he was taken sick with the same Fever and the Tonic cured him." "At Conway, Ark., a malignant type of Fever was proving extremely fatal. Call it Typhoid or Typhus or Typho-Malarial, or just plain Continued Fever—never mind what you call it—it killed. And then a Doctor wrote to us that he never lost a case or had any trouble after beginning the use of Johnson's Tonic."

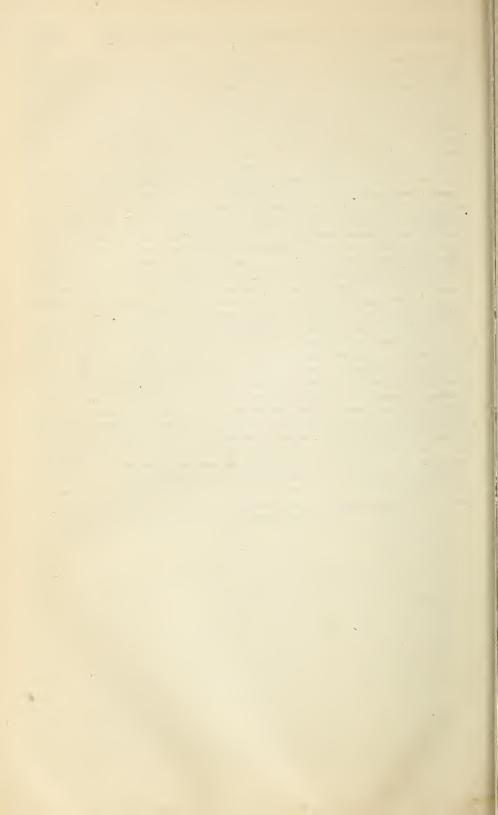
Analysis of a sample of the product by the Bureau of Chemistry of this department showed the product to be an aqueous solution of magnesium sulphate and cinchonine hydrochlorid.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "A Guaranteed Remedy for the following diseases: * * * Dengue Fever, * * * Typhoid Fever, * * * Measles, * * * La Grippe," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth of falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that the article in whole or in part was composed of, or contained, ingredients or medicinal agents, effective, among other things, as a remedy for dengue fever, typhoid fever, measles and grippe; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for dengue fever, or typhoid fever, or measles, or grippe. ing was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the booklet aforesaid, to wit, "* * * a man lost a child with Typhoid Fever and saw an advertisement of ours in the Christian Advocate and wrote and asked us if the Tonic would cure Typhoid Fever. We told him it would. He sent for a bottle for his second child and it cured him. Then he was taken

sick with the same Fever and the Tonic cured him," "* * * a malignant type of Fever was proving extremely fatal. Call it Typhoid or Typhus or Typho-Malarial, or just plain Continued Fever—never mind what you call it it killed. And then a Doctor wrote to us that he never lost a case or had any trouble after beginning the use of Johnson's Tonic," were false and fraudulent in that, by means of the said booklet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for typhoid fever; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure for typhoid fever. Misbranding was alleged for the further reason that the package of the article bore another statement regarding the therapeutic or curative effects thereof, to wit, "* * * my whole family of children were taken down with Typhoid Fever and we began at once with the Tonic and it cured every one of them," said statement being incorporated in the booklet aforesaid, in manner and form as follows, to wit, "Birmingham, Ala., May 2, 1910. Have already written to you of my experience with Johnson's Tonic four years ago, but I am again deeply indebted to the Tonic and feel it my duty to state that my whole family of children were taken down with Typhoid Fever and we began at once with the Tonic and it cured every one of them. Yours truly, W. E. Wrye, Engineer L. & N. R. R.," which said statement was false and fraudulent in that it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for typhoid fever; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure for typhoid fever.

On August 21, 1915, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

Carl Vrooman, Acting Sceretary of Agriculture.



INDEX TO NOTICES OF JUDGMENT 4101 TO 4150.

Angier's petroleum emulsion: N. J. N		Emmons', Dr., throat and lung	
0	.08		J. No.
Apples, evaporated:	00	Emmons', Dr., Throat &	
	.22	Lung Healer Co	4107
Funston, R. E., Dried Fruit	0.00	tissue builder:	
	.37	Emmons', Dr., Throat &	
Baby sirup. See Sirup.		Lung Healer Co	4107
Ballard's golden oil:		Emulsion, petroleum:	
	.24	Angier Chemical Co	4108
Balm of life:		Essence, hien fong:	
- C I	.42	Knorr Medical Co	4116
Balsam, horehound:		Evaporated apples. Sec Apples.	
· U	.25	Extract, vanilla:	
lung:			4118
	.04	sarsaparilla:	
, magic:		Michigan Drug Co	4120
,,	.34	Feed, bran:	
maple:	1	Morris City Mills	4145
	41	cottonseed meal:	
Barosma compound. See Compound.		Merchants & Planters Oil	
Bran. See Feed.		Со	4126
Brandy, cognac type:		Powell, L. H., & Co	4126
	12	Feed, sugar:	
Brown's 935 injection:	ı	Harrington Mills	4117
,,,	43	Republic Milling Co	4117
Burgundy wine. See Wine.		Freckle lotion. See Lotion.	
California burgundy wine. See Wine.		Germetuer:	
Catsup. See Tomato ketchup.		Ellis-Lillybeck Drug Co	4113
Chill and fever tonic. See Tonic.		Germicide:	
Cod liver oil. See Oil.		Hiatt Germicide Co	4131
Codeine sulphate tablets. Sec Tab-		Golden oil. See Oil.	
lets.		Graham, S. Grover, dyspepsia and	
Cognac. Sec Brandy.		heartburn remedy:	
Compound, Barosma:		Graham, S. Grover, Co	4119
Thompson Medical Co 41	14	Green drops. See Drops.	
spruce gum balsam and pine		Greene's, Dr., nervura:	
tar:		Greene, F. A. & J. A	4149
	139	Hart's, Mother, baby sirup:	
Cordial, diarrhea:		Dale & Co	4101
Van Vleet-Mansfield Drug		Healer, throat and lung:	
	47	Emmons', Dr., Throat &	
Cottonseed meal. Sec Feed.	1	Lung Healer Co	4107
Cusachs' preparation:		Heartburn remedy. See Remedy.	
- /	103	Heroin hydrochlorid tablets. See	
Desiccated eggs. See Eggs.	- 1	Tablets.	
Diarrhea cordial. See Cordial.		Hiatt's, Dr., germicide:	
Diphtheria specific. See Specific.		Hiatt Germicide Co	4131
Drops, green:		Hibbard's rheumatic sirup:	
	116	Burks Medicine Co	4102
Dyspepsia remedy. Scc Remedy.		Hien fong essence. See Essence.	
Eggs, desiccated:		Hill's freckle lotion:	
	140	Snow, F. L.	4115
Consolidated Egg Co 41	L29	Horehound balsam. Sec Balsam.	

	J. No.		J. No
Brown, Dr., Co	4143	Rheumatism remedy. See Remedy.	
Jackson's magic balsam:		Sayman's vegetable liniment com-	
Van Alstine, P	4134	pound:	
Johnson's chill and fever tonic:		Sayman, T. M	4128
Johnson's Chill and Fever		Sarsaparilla extract. See Extract.	
Tonic Co	4150	Sirup, baby:	
Johnston's iodized extract of sarsa-		Da. & Co	4101
parilla:		rheumatic:	
Michigan Drug Co	4120	Burks Medicine Co	4102
Jones', Dr., liniment:		soothing:	
Spiegel, Dr. M., & Sons	4138	Anglo-American Drug Co	4110
Ketchup. See Tomato ketchup.		Smith's, Dr. T. B., lung tonic:	
Kinmonth's diphtheria and sore		Smith, T. B., Medicine Co	410
throat specific:		Soothing sirup. See Sirup.	1100
Kinmonth, H. S	4123	Sore throat specific. See Specific.	
King's, Dr., royal germetuer:		Specific, diphtheria & sore throat:	
Ellis-Lillybeck Drug Co	4113		4123
Knorr's green drops:	1220	Kinmonth, H. S	4120
Knorr Medical Co	4116	Spruce gum balsam and pine tar	
hien fong essence:	1110	compound. See Compound.	
	4110	Sugar feed. See Feed.	
Knorr Medical Co Liniment:	4116	Tablets, codeine sulphate:	
	4400	Gould, G. H	4146
Spiegel, Dr. M., & Sons	4138	heroin hydrochlorid:	
vegetable:		Gould, G. II	4146
Sayman, T. M	4128	Taylor's horehound balsam:	
Lotion, freckle:		Taylor Drug & Chemical Co_	4123
Snow, F. L	4115	Thompson's E. K., barosma com-	
Lung balsam. See Balsam.		pound:	
healer. Scc Healer.		Thompson Medical Co	411-
tonie. See Tonie.		Throat and lung healer. Sec Healer.	
Magic balsam. See Balsam.		Tissue builder:	
Mansfield's Mississippi diarrhea		Emmons, Dr., Throat &	
cordial:		Lung Healer Co	410
Van Vleet-Mansfield Drug		Tomato ketchup:	
Co	4147		413
Maple balsam. Sec Balsam.			220
		Tomatoes canned:	
Meal, cottonseed, Scc Feed.		Tomatoes, canned:	4100
Meal, cottonseed. See Feed.		Miller Bros. & Co	410
Milk:	4111	Miller Bros. & Co Tonic, chill & fever:	410
Milk: Hunt, A. J	4111	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever	
Milk: Hunt, A. J Mississippi diarrhea cordial. See	4111	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co	4100
Milk: Hunt, A. J. Mississippi diarrhea cordial. Scc Cordial.	4111	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung:	415
Milk: Hunt, A. J. Mississippi diarrhea cordial. See Cordial. Nervura:		Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_	
Milk: Hunt, A. J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A. & J. A	4111	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life:	415
Milk: Hunt. A. J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection.		Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B	415
Milk: Hunt. A. J Mississippi diarrhea cordial. Sec Cordial. Nervura: Greene, F. A. & J. A 935 injection. Sec Injection. Oil, cod liver, extract of:	4149	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine:	4156
Milk: Hunt. A. J		Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co	415
Milk: Hunt. A. J Sce Cordial. Sce Cordial. Cordial. Sce Cordial. Cordial. Cordial. Cordial.	4149	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract.	4156
Milk: Hunt. A. J Mississippi diarrhea cordial. Sce Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co	4149	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the	4156
Milk: Hunt, A. J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor:	4149 4103 4124	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs:	4150 4103 4143 4127
Milk: Hunt. A. J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor: Quakor Oil Co	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co	4156
Milk: Hunt, A. J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor:	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment.	4150 4103 4143 4127
Milk: Hunt. A. J Sce	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar:	4150 4103 4143 4127
Milk: Hunt, A, J	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment.	4150 4103 4143 4127
Milk: Hunt. A. J Sce	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar	4150 4103 4143 4127
Milk: Hunt. A. J Mississippi diarrhea cordial. Sce Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor: Quakor Oil Co Otto's spruce gum balsam and pine tar compound: American Pharmacal Co	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar:	4156 4103 4143 4127 410
Milk: Hunt, A, J Mississippi diarrhea cordial. See Cordial. Nervura: Greene, F. A, & J, A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor: Quakor Oil Co Otto's spruce gum balsam and pine tar compound: American Pharmacal Co Petroleum emulsion. See Emulsion.	4149 4103 4124 4148	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co	4156 4103 4143 4127 4109
Milk: Hunt. A. J	4149 4103 4124 4148 4139	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Wallace Vinegar Co	4156 4103 4143 4127 4109
Milk: Hunt. A. J	4149 4103 4124 4148 4139	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Walker Medicine Co	4100 4142 4100 4100 4100 4100 4100
Milk: Hunt. A. J Mississippi diarrhea cordial. Sce Cordial. Nervura: Greene, F. A. & J. A 935 injection. See Injection. Oil, cod liver, extract of: Wampole, H. S., Co golden: Ballard Golden Oil Co Quakor: Quakor Oil Co Otto's spruce gum balsam and pine tar compound: American Pharmacal Co Petroleum emulsion. See Emulsion. Phedrin: American Remedy Co Pine tar compound. See Compound. Quakor oil. See Oil.	4149 4103 4124 4148 4139	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Walker Medicine Co Wastemo:	4100 4142 4100 4100 4100 4100 4100
Milk: Hunt, A, J	4149 4103 4124 4148 4139 4136	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co_ Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Waker Medicine Co Wastemo Chemical Co	4150 4103 4143 4103 4100 4103 4136
Milk: Hunt, A, J	4149 4103 4124 4148 4139	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Walker Medicine Co Wastemo: Wastemo Chemical Co	4150 4103 4143 4103 4100 4103 4136
Milk: Hunt. A. J	4149 4103 4124 4148 4139 4136	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Walker Medicine Co Wastemo: Wastemo Chemical Co Wine, burgundy: California Wine & Cordial	4150 4100 4141 4100 4100 4130 4131 4131
Milk: Hunt. A. J	4149 4103 4124 4148 4139 4136	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Wastemo: Wastemo Chemical Co Wastemo Chemical Co Wine, burgundy: California Wine & Cordial Co	4150 4103 4143 4103 4100 4103 4136
Milk: Hunt. A. J	4149 4103 4124 4148 4139 4136 4119 4130	Miller Bros. & Co Tonic, chill & fever: Johnson's Chill & Fever Tonic Co lung: Smith, T. B., Medicine Co Trafton's balm of life: Cyphers, M. B Turpentine: Producer's Refining Co Vanilla extract. See Extract. Van Wert's, Dr., balsam for the lungs: Van Wert Chemical Co Vegetable liniment. See Liniment. Vinegar: Hood River Apple Vinegar Co Wallace Vinegar Co Walker's, Dr., rheumatism remedy: Walker Medicine Co Wastemo: Wastemo Chemical Co Wine, burgundy: California Wine & Cordial	4150 4100 4141 4100 4100 4130 4131 4131

U. S. DEPARTMENT OF AGRICULTURE,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 4151-4200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 15, 1916.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[-liven pursuant to section 4 of the Food and Drugs Act.]

4151. Adulteration of mixed nuts. U. S. * * * v. 30 Bags of Mixed Nuts * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6197. I. S. No. 559-k. S. No. E-188.)

On or about December 22, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 bags of mixed nuts, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been shipped and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the nuts were adulterated because they consisted of moldy, or partly moldy, wormy, and rancid nuts. It was further alleged in the libel that the article consisted of a mixture of walnuts, about 27 per cent, Brazil nuts, about 37 per cent, almonds, about 27 per cent, pecans, about 3 per cent, and filberts, about 4 per cent; that of the 27 per cent of almonds, 32.6 [33.8] per cent were bitter almonds, and that bitter almonds were unwholesome and deleterious to health; that 34 per cent of the walnuts were adulterated in that they were moldy, wormy, and rancid nuts.

On June 5, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

4152. Misbranding of "Dr. Kermott's Ex. Blackberry." U. S. v. Michigan Drug Co. Plea of guilty. Fine, \$50. (F. & D. No. 6200, I S. No. 12731-e.)

At the March, 1915, term of the District Court of the United States for the Eastern District of Michigan, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the said district court an information against the Michigan Drug Co., a corporation, Detroit, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 3, 1913, from the State of Michigan into the State of West Virginia, of a quantity of "Dr. Kermott's Ex. Blackberry," which was misbranded. The product was labeled: (On large carton) "Half Dozen Dr. Kermott's Ex. Blackberry 50 Cents For Diarrhæa, Cholera, Etc. Guaranteed by Michigan Drug Co. under the Food and Drugs Act, June 30, 1906. Serial No. 357." (On small carton) "Guaranteed by Michigan Drug Co. under the Food and Drugs Act, June 30th, 1906, Serial No. 357. Dr. J. W. Kermott's Compound Extract of Blackberry A Celebrated Remedy 30% Alcohol 1-2 Gr. Opium to Oz. Diarrhæa, Dysentery, Cholera, Cholera Morbus and all diseases of the Stomach and Bowels, Prepared only by 'The Michigan Drug Co.,' Chemists (Successors to Dr. J. W. Kermott.) Detroit, Mich. Price 50c per bottle. Dr. K. has subjected this remedy to the test of some of the most scientific medical men, both in the United States and Canada, who all, with one voice, acknowledge it to be superior to any other medicinal agent in the cure of the above diseases. It acts promptly, producing a healthy tone throughout the whole alimentary canal. It has proved effectual in thousands of cases in Detroit and vicinity. Suffice it to say, that in 25 years' extensive practice, we have yet to learn of so effectual a remedy. Directions—Dose for an adult, one tablespoonful every two hours, and for children in proportion to their age. (Other statements in French and German)." (On bottle) "Dr. J. W. Kermott's Compound Extract of Blackberry (Alcohol 20% Opium 1-2 gr. to oz.) For the relief of Diarrhæa, Dysentery, Cholera, Cholera Morbus and all painful diseases of the Stomach and Bowels Or as a gargle for Sore Throat. Directions. Dose for an adult, from a teaspoonful to a tablespoonful every two hours, or oftener if the case is severe, and for children in proportion to their age. The Michigan Drug Co., Detroit, Mich. Proprietors. Price 50 cents per bottle. Guaranteed under the Food and Drugs Act, June 30th, 1906, Serial Number 357." (Blown in bottle) "Dr. J. W. Kermott,"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol, by specific gravity (per cent) ______ 23. Capsicum, tannin (probably from blackberry root), morphin: Present.

Coloring matter: Eosin and natural color resembling blackberry. Emodin, nitrates, chlorates: Absent.

The presence of opium could not be definitely proved on account of the interfering action of the dye.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label afóresaid, to wit, (On small carton) "A Celebrated Remedy * * * Dysentery, Cholera * * * and all diseases of the Stomach and Bowels. * * * Dr. K. has subjected this remedy to the test of some of the most scientific medical men, both in the United States and Canada, who all, with one voice, acknowledge it to be superior to any other medicinal agent in the cure of the above diseases," (In German) "Celebrated Remedy for the cure of * * * Dysentery, Cholera * * * and all diseases of the stomach and

bowels," (In French) "Celebrated Remedy for the cure of * * * Dysentery * * and all diseases of the stomach and bowels," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for cholera, dysentery, and all diseases of the stomach and bowels; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a cure for cholera, dysentery, or all diseases of the stomach or bowels.

On April 19, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

4153. Adulteration of evaporated apples. U. S. * * * v. 14 Boxes * * *

of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6209. I. S. Nos. 12401-k, 12402-k, S. No. C-147.)

On January 8, 1915, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes, each containing fifty 15-ounce cartons of evaporated apples and 10 boxes, each containing 50 pounds of evaporated apples, remaining unsold in the original unbroken packages at Valley City, N. D., alleging that the product had been shipped, on or about September 20, 1914, and transported from the State of Arkansas into the State of North Dakota, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Star Brand Evaporated Apples, Sulphur Bleached Packed by Ladd Bros., Fayetteville, Ark."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or [in] part of a filthy, decomposed animal or vegetable substance.

On April 27, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

4154. Misbranding of "Smith's Kidney Remedy." U. S. v. Abner Harvey Duncan (Smith Medicine Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 6212. I. S. No. 7974-e.)

On August 10, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Abner Harvey Duncan, trading as the Smith Medicine Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 23, 1912, from the State of Missouri into the State of Ohio, of a quantity of "Smith's Kidney Remedy" which was misbranded. The article was labeled: (On carton) "Smith's Kidney Remedy Trade Mark Smith's Kidney Remedy (Picture of hemisphere) Alcohol, 10% Guaranteed by Smith Medical Company Under the Food and Drugs Act, June 30, 1906. No. 2387. Manufactured for the Smith Medical Co. St. Louis, Mo. For Kidney and Bladder Troubles For sale by druggists Price, 50 Cents. Smith's Kidney Remedy For Purifying the Blood and Restoring the Kidneys to a Healthy Condition, assisting them to fully perform their Natural Functions, viz: To remove all Impurities from the Blood. Directions. Take one teaspoonful three times daily. It is best to take soon after eating. If the medicine should cause any nausea when first taken, the dose must be decreased to what the stomach will properly bear, and then may be increased to the full quantity in a few days. If the bowels are constipated or become so at any time during treatment, take larger doses at night. In all ordinary cases (diabetes excepted) no particular diet need be observed. Will Relieve Bright's Disease, Gravel, Stone in the Bladder, Ulcerated Neck of Bladder, Inflamed Urethra, Too Frequent Urinating, Stricture, Varicocele, Dropsy, Etc." (On bottle) "Smith's Kidney Remedy Alcohol, 10%. Guaranteed by Smith Medical Co., under the Food and Drugs Act, June 30, 1906. Serial No. 2387. Directions. Teaspoonful to tablespoonful three times daily after eating. If it acts too freely on the bowels, reduce the dose. If constipated increase the dose, Abstain from all intoxicating drinks while taking medicine. Keep bottle well corked and in cool place. Price, 50 Cents. Prepared for the Smith Medical Company, St. Louis, Mo. For sale by druggists."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (per cent) 9.67
Ash (per cent)0.53
Alcohol (per cent) 9.3
Sugar (per cent)0.3
Potassium, sodium, acetates, laxative plant drug extractive: Indi-
cated.
Glycerin Present.
AlkaloidTrace.
Product is a hydroalcoholic solution containing glycerin, potas-
sium acetate, trace of alkaloid, and laxative extractive plant drug.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Smith's Kidney Remedy For Purifying the Blood and Restoring the Kidneys to a Healthy Condition, assisting them to fully perform their Natural Functions, viz: To remove all Impurities from the Blood. * * * Will Relieve Bright's Disease, Gravel, Stone in the Bladder, * * * Stricture, Varicocele * * *," were false and fraudulent in that the same were applied to said article knowingly and

in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for kidney diseases, or effective as a remedy to restore the kidneys to a healthy condition, and effective as a relief for Bright's disease, gravel, stone in the bladder, stricture and varicocele; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for any kidney diseases, or effective as a remedy to restore the kidneys to a healthy condition, or effective as a relief for Bright's disease or gravel or stone in the bladder or stricture or varicocele.

On September 8, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

4155. Misbranding of olive oil. U. S. v. Chas. P. Grogan. Plea of guilty. Fine, \$16. (F. & D. No. 6213. I. S. No. 8839-h.)

On March 15, 1915, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Chas. P. Grogan, Los Angeles, Cal., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 22, 1913, from the State of California into the State of Missouri, of a quantity of olive oil which was misbranded. The product was labeled: (On shipping case) "Purity (design of dove) California Olive Oil From Chas. P. Grogan 2/3 doz. Los Angeles, Cal. Gal." (On can) "One Gallon Purity (Trade Mark) Guaranteed by Chas. P. Grogan under the Pure Food and Drugs Act of June 30, 1906, and California State Food and Drugs Act, March 11, 1907. Serial No. 4943. California Olive Oil Chas P. Grogan. Los Angeles, Cal."

Examination of a sample of the product by the Bureau of Chemistry of this department showed that this product was about one-half pint short on a gallon, or, that there was, in four cans, an average shortage of 6.55 per cent. It further showed that the cans would have held a full gallon if properly filled.

Misbranding of the article was alleged in the information for the reason that the following statement, appearing upon the labels of the four cans, to wit, "One gallon," was false and misleading in that it indicated to the purchasers thereof that each of said cans contained 1 gallon of said article of food, when, in truth and in fact, each of said cans did not contain 1 gallon of said article of food, but contained a less amount thereof, to wit, one can, 7.93 pints, another, 7.27 pints, and the other two, 7.36 pints. Misbranding was alleged for the further reason that the four cans containing the article were labeled "One Gallon" so as to deceive and mislead the purchaser into the belief that each contained 1 gallon of said article of food, when, in truth and in fact, each of said cans did not contain 1 gallon of the said article of food, but contained a less amount thereof, to wit, one can, 7.93 pints, another, 7.27 pints, and the other two, 7.36 pints.

On June 14, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$16.

4156. Adulteration of tomato pulp. U. S. * * * v. 400 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6222. I. S. No. 564-k. S. No. C-150.)

On January 18, 1915, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 48 cans of tomato pulp, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the product had been shipped and transported from the State of Maryland into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was in whole or in part [composed] of a filthy, decomposed, and putrid animal or vegetable substance and unfit for food, in violation of section 7. paragraph 6, under "Foods" of the [Pure] Food and Drugs Act, and the same was liable to condemnation and confiscation as provided in said act, for the reason that the said tomato pulp was unsound, damaged, decomposed, or partly decomposed, and unfit for use as food.

On March 8, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department upon which proceedings in this case were based did not include a finding that the article was composed of a putrid vegetable substance, or that it was composed in whole or in part of a filthy, decomposed, and putrid animal substance.)

4157. Adulteration of tomato pulp. U. S. v. S5 Wooden Cases * * * Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6235. I. S. No. 12280-k. S. No. C-152.)

On January 22, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 wooden cases, more or less, each containing 48 tin cans of a product purporting to be tomato pulp, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the product had been shipped and transported from the State of Maryland into the State of Indiana, the shipment having been received on or about October 26, 1914, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "4 doz. No. 1, Miller Bros. & Co. Jumbo Brand Tomato Pulp. Baltimore, Md." The cans were labeled: "Jumbo Brand. Contents 10 ozs. Tomato Pulp. Used for making Soups, Sauces, Gravies, and for Seasoning Purposes. Tomato Pulp packed by Miller Bros. & Co., Baltimore, Md. U. S. A. Jumbo Brand."

Adulteration was alleged in the libel for the reason that the product purporting to be tomato pulp consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance which rendered said article unfit for food.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department upon which proceedings in this case were based did not include a finding that the article was composed of a putrid vegetable substance.)

4158. Adulteration of milk. U. S. v. Harry Newell Woodworth. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6240. I. S. Nos. 13004-e, 13006-e.)

On April 13, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Newell Woodworth, Williamsfield, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 26, 1913, from the State of Ohio into the State of Pennsylvania, of a quantity of milk which was adulterated.

Examination of samples of the product by the Bureau of Chemistry of this department showed the following results (after 2 days' incubation):

	Organism	as per cc.	Acid or- ganisms per cc.	Gas-pro- ducing organisms per cc.	Strepto-
Sample No.—	Plain agar at 37° C.	Litmus lac- tose agar at 25° C.			cocci per
1	3, 200, 000 17, 600, 000	4,100,000 11,200,000	2,900,000 11,000,000	10,000 100,000	100,000

Adulteration of the article was alleged in the information for the reason that it consisted wholly or in part of a filthy or decomposed animal substance.

On May 28, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

4159. Adulteration of Brazil nuts. U. S. v. Frank P. Kruger. Plea of guilty. Fine, \$50. (F. & D. No. 6242. I. S. No. 1776-h.)

On July 1, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank P. Kruger, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on December 10, 1913, from the State of New York into the State of Ohio, of a quantity of Brazil nuts which were adulterated.

Examination of a sample of the product by the Bureau of Chemistry of this department showed that about 81 per cent of the sample consisted of wormy, moldy, and rancid nuts, and débris.

Adulteration of the product was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed vegetable matter.

On July 7, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

4160. Adulteration and misbranding of vanilla extract. U. S. v. Chas. L. Heinle Specialty Co. Plea of guilty. Fine, \$5. (F. & D. No. 6245, I. S. No. 3614-h.)

On April 13, 1915, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chas. L. Heinle Specialty Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 2, 1913, from the State of Pennsylvania into the State of New Jersey, of a quantity of vanilla extract which was adulterated and misbranded. The article was labeled: (On bottle) "Heinle's Pure Concentrated Vanilla Manufactured by Chas. L. Heinle Specialty Co. Philadelphia." (On carton) (Front) "Heinle's Pure Concentrated Vanilla Flavoring for Pies, Custards, Cakes, Puddings, Jellies, Ice Cream, &c. Manufactured by Chas. L. Heinle Specialty Co. Philadelphia, Serial No. 9753, Guaranty under Food and Drug Act June 30th, 1906." (On sides) "Heinle's Vanilla." (On top) "Vanilla."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Vanillin (Gravimetric) (per cent)	0.13
Vanillin (Folin colorimetric) (per cent)	0.14
Lead number	0.30
Alcohol (per cent by volume)	31.81
Ash (per cent)	0.18

Product is a dilute vanilla extract.

Adulteration of the article was alleged in the information for the reason that a dilute vanilla extract had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that a dilute vanilla extract had been substituted in whole or in part for pure concentrated vanilla which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Pure Concentrated Vanilla," borne on the label of the article, was false and misleading in that it represented and purported that said article was pure concentrated vanilla, whereas, in truth and in fact, it was not pure concentrated vanilla, but was a dilute vanilla extract. Misbranding was alleged for the further reason that the article was labeled "Pure Concentrated Vanilla" so as to deceive and mislead the purchaser into the belief that it was pure concentrated vanilla, whereas, in truth and in fact, it was not pure concentrated vanilla, but was a dilute vanilla extract.

On June 18, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

4161. Misbranding of "Elixir Tonico Stomatico." U. S. * * * v. American Union Cordial Co. of Penna., Inc. Plea of guilty. Fine, \$5. (F. & D. No. 6248. I. S. Nos. 23970-d, 37432-e.)

On April 13, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Union Cordial Co. of Pennsylvania (Inc.), a corporation, Allentown, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 8, 1912, and August 2, 1912, from the State of Pennsylvania into the State of New York, of two consignments of "Elixir Tonico Stomatico" which was misbranded. The product in both consignments was labeled: (On bottle) "Marca di Fabrica Depositata (Coat of arms with white cross) Stomachic Digestive Gran Liquore Della Stella (Representation of coins and white cross) Elixir Tonico Stomatico Guaranteed under the Nat. Pure Food Law, Act June 30, 1906, Serial No. 26694. (Italian coat of arms.)"

Analysis of a sample of this product by the Bureau of Chemistry of this department showed the following:

	Consign- ment 1.	Consign- ment 2.
Alcohol (per cent by volume)		33, 06
Solids (per cent)		
Sucrose (per cent)		
Ginger and cinnamon Indi	cated.	
Naphthol yellow S		Present.

Misbranding of the article of drugs was alleged in the information for the reason that it contained, in one shipment, 37.30 per cent, and, in the other shipment, 33.06 per cent of alcohol by volume, and the package failed to bear a statement on its label of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements, to wit, "Marca di Fabrica Depositata Stomachic Digestive Gran Liquore Della Stella Elixir Tonico Stomatico," together with certain pictorial designs and devices, to wit, representations of the Italian coat of arms and Italian coins or medals, were false and misleading in that they indicated to the purchasers thereof that said article of food was of foreign origin and had been manufactured in the kingdom of Italy, when, in truth and in fact, said article of food was not of foreign origin and had not been manufactured in the Kingdom of Italy, but was of domestic origin and had been manufactured in the United States, to wit, in the City of Allentown, State of Pennsylvania. Misbranding was alleged for the further reason that the article was labeled, to wit, "Marca di Fabrica Depositata Stomachic Digestive Gran Liquore Della Stella Elixir Tonico Stomatico," and bore certain pictorial designs and devices, to wit, representations of the Italian coat of arms and Italian coins or medals, so as to deceive and mislead the purchaser into the belief that the said article of food was of foreign origin and had been manufactured in the kingdom of Italy, when, in truth and in fact, the said article was not of foreign origin and had not been manufactured in the kingdom of Italy, but was of domestic origin and had been manufactured in the United States, to wit, in the city of Allentown, State of Pennsylvania.

On April 16, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

4162. Adulteration of oats. U. S. * * * v. 2 Carloads of Bulk Oats, so called. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6251. I. S. Nos. 11474-k, 18777-k. S. No. E-201.)

On February 23, 1915, the United States attorney for the Northern District of New York filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 carloads of bulk oats, so called, remaining unsold and unloaded from the cars at Oneonta, N. Y., alleging that the product had been shipped, on or about January 20, 1915, and transported from the State of Wisconsin into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

The allegation in the libel was to the effect that certain substances, to wit, water and barley, had been mixed and packed with the oats so as to reduce, lower, and injuriously affect their quality, and had been substituted in part for oats which the article purported to be.

On March 11 and 17, 1915, Fagg & Taylor, Milwaukee, Wis., claimants, having consented thereto, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released to said claimants upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act.

4163. Adulteration of oats. U. S. * * * v. 1 Carload of Bulk Oats, so called. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6252. I. S. No. 11471-k. S. No. E-203.)

On January 29, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 carload of bulk oats, so called, remaining unsold and unloaded from the car at Oneonta, N. Y., alleging that the product had been shipped, on or about January 20, 1915, and transported from the State of Wisconsin into the State of New York, by Fagg & Taylor, Milwaukee, Wis., and charging adulteration in violation of the Food and Drugs Act.

The allegation in the libel was to the effect that certain substances, to wit, water and barley, had been mixed and packed with the oats so as to reduce, lower, and injuriously affect their quality, and had been substituted in part for oats which the article purported to be.

On February 15, 1915, the said Fagg & Taylor, claimants, having filed their claim, and consenting to a decree of condemnation, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to said claimants upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act, and upon amending the bill of lading and invoice covering the article if necessary and upon reducing the water content of said bulk oats to 14 per centum or less of the entire bulk thereof under the supervision of an inspector of the Department of Agriculture.

4164. Adulteration of oats. U. S. * * * v. 1 Carload of Bulk Oats, so called. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6254. I. S. No. 11473-k. S. No. E-205.)

On January 29, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 carload of bulk oats, so called, remaining unsold and unloaded from the car at Edmeston, N. Y., alleging that the product had been shipped, on or about January 22, 1915, by Fagg & Taylor, Milwaukee, Wis., and transported from the State of Wisconsin into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

The allegation in the libel was to the effect that certain substances, to wit, water and barley, had been mixed and packed with the oats so as to reduce, lower, and injuriously affect their quality, and had been substituted in part for oats which the article purported to be.

On February 15, 1915, the said Fagg & Taylor, claimants, having filed their claim, consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to the said claimants upon payment of the costs of the proceedings, the execution and filing of a bond for \$500, in conformity with section 10 of the act, and upon amending the bill of lading and invoice covering said carload of bulk oats, if necessary, and upon reducing the water content of said bulk oats to 14 per centum or less of the entire bulk thereof under the supervision of an inspector of the Department of Agriculture.

4165. Adulteration and misbranding of "Superfine Fruit Flavor Raspberry." U. S. v. Magnus & Lauer, Inc. Plea of guilty. Fine, \$50. (F. & D. No. 6263. I. S. No. 1297-h.)

On May 19, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Magnus & Lauer (Inc.), a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 18, 1913, from the State of California into the State of Idaho, of a quantity of so-called "Superfine Fruit Flavor Raspberry" which was adulterated and misbranded. The article was labeled: (On bottle) "Magnus & Lauer (Trade Mark) M & L Extracts Vanilla Beans Essential Oils Fruits Fruit Juices Fruit Syrups Superfine Fruit Flavor Raspberry Imitation (Harmless Color Added) 139–141 Fremont St. San Francisco, Cal. Guaranteed by Magnus & Lauer, Inc. Under the Food and Drugs Act June 30, 1906, Serial Number 25454."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume) 51.28 Methyl alcohol: None.

Esters as ethyl acetate (grams per 100 cc) _____ 2.40

Color as caramel (by Marsh test): Present. Organoleptic test indicates artificial flavor.

This product consists largely, if not entirely, of an imitation raspberry flavor, composed of dilute alcohol flavored with esters and colored with caramel.

Adulteration of the article was alleged in the information for the reason that an imitation raspberry extract had been mixed and packed with the article so as to lower or reduce or injuriously affect its quality and strength, and for the further reason that an imitation raspberry extract had been substituted wholly or in part for superfine fruit flavor raspberry, which the article purported to be, and for the further reason that said article was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement, to wit, in prominent type "Superfine Fruit Flavor Raspberry," not corrected by the word "Imitation," following in inconspicuous type, was false and misleading in that it purported and represented said article to be a superfine fruit flavor raspberry, whereas, in truth and in fact, it was not a superfine fruit flavor raspberry, but was an imitation raspberry extract, artificially colored and flavored. Misbranding was alleged for the further reason that the article was labeled "Superfine Fruit Flavor Raspberry," in prominent type, followed by the word "Imitation," in inconspicuous type, so as to deceive and mislead the purchaser into the belief that it was a superfine fruit flavor raspberry, whereas, in truth and in fact, it was not a superfine fruit flavor raspberry, but was an imitation raspberry extract, artificially colored and flavored.

On June 1, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

Carl Vrooman, Acting Secretary of Agriculture.

4166. Adulteration and misbranding of so-called cognac. U. S. v. Basilea-Calandra Co. Plea of guilty. Fine, \$50. (F. & D. No. 6266. I. S. No. 2412-h.)

On July 3, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Basilea-Calandra Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on July 1, 1913, from the State of New York into the State of Ohio, of a quantity of so-called cognac which was adulterated and misbranded. The article was labeled: (On bottle) "Duchateau Brand Cognac Compounded With Pure Grain Distillates." (On neck of bottle) "The Original Contents of this Package Constitute A Compound Artificially Colored Compounded and Bottled in New York, N. Y. This Bottle Contains 23½ Oz." (Design of three stars.)

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters of proof spirits, unless otherwise noted:

Proof	73.8
Acids total, as acetic	8.9
Esters, volatile, as ethyl acetate	11.0
Aldehydes, as acetaldehyde	2.1
Furfural	
Fusel oil	15.5
Caramel: Present.	
Capacity (fluid ounces)	24. 5

This product is an imitation brandy consisting largely of neutral spirits.

Adulteration of the article was alleged in the information for the reason that an imitation brandy of domestic origin, consisting largely of neutral spirits, had been substituted wholly or in part for cognac which the article purported to be,

Misbranding of the article was alleged for the reason that the statement, to wit, "Cognac," together with the design and device of three stars, appearing on the label thereof regarding the said article and the ingredients and substances contained therein, was false and misleading in that it indicated that the articlewas a cognac, to wit, a brandy produced in the Cognac district of France, whereas, in truth and in fact, said article was not cognac, a brandy produced in the Cognac district of France, but was an imitation brandy of domestic origin, consisting largely of neutral spirits. Misbranding was alleged for the further reason that the article was labeled and branded so as to deceive and mislead the purchaser, being labeled in large type "Cognac," which said statement, together with the design and device of three stars borne on the neck of said bottle, was calculated to mislead and deceive the purchaser into the belief that said article was cognac, a brandy produced in the Cognac district of France, whereas, in truth and in fact, said article was not cognac, a brandy produced in the Cognac district of France, but was an imitation brandy of domestic origin, consisting largely of neutral spirits. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, cognac, a brandy made in the Cognac district of France, whereas, in truth and in fact, it was not cognac, a brandy made in the Cognac district of France, but was an imitation brandy of domestic origin, consisting largely of neutral spirits.

On July 28, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

4167. Adulteration and misbranding of vinegar. U. S. v. 15 Barrels

* * * of * * * Vinegar. Default decree of condemnation and
forfeiture. Product ordered sold. (F. & D. No. 6273. I. S. No. 12279-k.
S. No. C-154.)

On February 8, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 barrels, more or less, of a product purporting to be apple vinegar, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the product had been shipped and transported from the State of Kentucky into the State of Indiana, the shipment having been received on or about November 19, 1914, charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: (On one end) "Old Kentucky Cider Vinegar Works O. K. Brand, Pure Apple Vinegar, Reduced to 4 per cent Acid Strength, Covington, Ky." (On other end) "Guaranteed under the Food and Drugs Act, June 30, 1906, Serial No. 49547."

It was alleged in the libel that the product had mixed and packed with it distilled vinegar and [or] dilute acetic acid; that dilute acetic acid had been mixed and packed with the product in each of the barrels so as to reduce, lower, and injuriously affect its quality; that dilute acetic acid and [or] distilled vinegar had been substituted in part for pure apple vinegar in said product; and that the product was adulterated contrary to the laws of Congress in that behalf made and provided.

It was further alleged that the product was an imitation of pure apple vinegar, and was a product consisting in part of distilled vinegar and [or] acetic acid; further, that said product was offered for sale under the distinctive name of pure apple vinegar, when, in fact, it was not pure apple vinegar; further, that said product was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof, in that the aforesaid labels would deceive and mislead the purchaser thereof into believing that the product was pure apple vinegar, when, in fact, it was not pure apple vinegar. It was further alleged that the product contained in *each of the barrels was misbranded contrary to the laws of Congress made and provided in that behalf.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, and that before making such sale he should remove and obliterate all marks, brands, and figures indicating the substance contained in the barrels, and should rebrand the same by placing thereon "A Compound of Apple Waste Vinegar, Acetic Acid and Water."

4168. Adulteration and misbranding of vinegar. U. S. v. 50 Barrels

* * * of * * * Vinegar. Default decree of condemnation and
forfeiture. Product ordered sold. (F. & D. No. 6274. I. S. No.
12281-k. S. No. C-154.)

On February 8, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 barreis, more or less, of a product purporting to be apple vinegar, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the product had been shipped and transported from the State of Kentucky into the State of Indiana, the shipment having been received on or about December 7, 1914, and charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: "Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 49547."

It was alleged in the libel that dilute acetic acid and [or] distilled vinegar had been mixed and packed with the product in each of the barrels so as to reduce, lower, and injuriously affect its quality; that dilute acetic acid and [or] distilled vinegar had been substituted in part for pure apple vinegar in the product in each of the barrels; that the product in each of the said barrels was adulterated contrary to the law of Congress in that behalf made and provided.

It was further alleged that the product in each of the barrels was sold under the distinctive name of pure apple vinegar, when, in fact, it was not pure apple vinegar; and, further, that the product contained in each of the barrels was misbranded contrary to the laws of Congress in that behalf made and provided.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, and that before making such a sale he should remove and obliterate the marks, brands, and figures indicating the substance contained in the barrels, and should rebrand the same by placing thereon "A Compound of Apple Waste Vinegar," Acetic Acid and Water."

4169. Adulteration and misbranding of vinegar. U. S. v. 47 Barrels

* * * of * * * Vinegar. Default decree of condemnation and
forfeiture. Product ordered sold. (F. & D. Nos. 6279, 6280, 6281. I. S.
No. 12282-k. S. No. C-156.)

On February 8, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 barrels, more or less, of a product purporting to be apple vinegar, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the product had been shipped and transported from the State of Kentucky into the State of Indiana, the shipment having been received on or about December 18, 1914, and charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: (On one end) "Old Kentucky Cider Vinegar Works O. K. Brand, Pure Apple Vinegar, Reduced to 4 per cent Acid Strength, Covington, Ky." (On reverse head) "Guaranteed under the Food and Drugs Act, June 30, 1906, Serial No. 49547."

It was alleged in the libel that the product had mixed and packed with it distilled vinegar and [or] dilute acetic acid; that dilute acetic acid had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality; that dilute acetic acid and [or] distilled vinegar had been substituted in part for pure apple vinegar in said product; and that the product in each of the barrels was adulterated, contrary to the laws of Congress in that behalf made and provided.

It was further alleged in the libel that the product was an imitation of pure apple vinegar, and was a product consisting in part of distilled vinegar and [or] acetic acid; further, that the product was offered for sale under the distinctive name of pure apple vinegar, when, in fact, it was not pure apple vinegar; further, that the product was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof in that the aforesaid labels would deceive and mislead the purchaser thereof into believing that the product in each of said barrels was pure apple vinegar, when, in fact, it was not pure apple vinegar. It was further alleged that the product contained in each of the barrels was misbranded, contrary to the laws of Congress made and provided in that behalf.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, but that before making such sale he should remove and obliterate all marks, brands, and figures indicating the substance contained in the barrels, and should rebrand the same by placing thereon "A Compound of Apple Waste Vinegar, Acetic Acid and Water."

4170. Adulteration of milk. U. S. v. Clayton E. Wright et al. (Wright & Warrell). Pleas of guilty. Fine, \$25. (F. & D. No. 6282. I. S. Nos. 727-h, 728-h, 729-h, 730-h, 731-h, 732-h.)

On April 13, 1915, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Clayton E. Wright and George Warrell, copartners, trading under the firm name of Wright & Warrell, Lunenburg, Vt., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 12, 1914, from the State of Vermont into the State of New Hampshire, of a quantity of milk which was adulterated.

Examination of samples of the product by the Bureau of Chemistry of this department showed the following results:

	Sample 1.	Sample 2.	Sample 3.	Sample 4.	Sample 5.	Sample 6.
Fat (by Babeock) (per cent). Specific gravity, 60° F. Total solids, calculated (per cent). Immersion refractometer reading at 20° C. on scrum. Nitrates.		3.05 1.022 9.16 33.5 Present.	2.7 1.023 8.99 33.8 Present.	2. 27 1. 024 8. 72 34. 4 Present.	2.20 1.028 9.64 37.6 Absent.	2.65 1.022 8.68 32.9 Present

These results indicate the presence of a considerable amount of water in the milk.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to reduce or lower and injuriously affect its quality; and for the further reason that a substance, to wit, water, had been substituted in part for milk which the article purported to be.

On May 12, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

4171. Misbranding of "Hill's Syrup of Tar, Cod-Liver Oil Extract and Menthol." * * * U. S. * * * v. Hollander-Koshland Co., Inc., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 6285. I. S. No. 2766-e.)

On October 6, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hollander-Koshland Co. (Inc.), Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 9, 1913, from the State of Maryland into the District of Columbia, of a quantity of "Hill's Syrup of Tar, Cod Liver Oil Extract and Menthol" which was misbranded. The article was labeled: (On carton) "Hill's Syrup of Tar, Cod Liver Oil Extract and Menthol. We Recommend This Remedy For All Diseases of the Throat and Lungs, Asthma, Bronchitis, Coughs, and Colds, Hoarseness, Loss of Voice, Sore Throat, Etc. Highly Recommended by Physicians For Formula & Directions, see Principal Label Inside. Distributed by Walter R. Hill, West End Pharmacy No. 3269 M Street, N. W. Washington, D. C." (On back of carton) "Directions.—For adults, 1 teaspoonful every three or four hours; for children, 12 years old 3 teaspoonful; 8 years, 1 teasspoonful; infants, 5 to 10 drops. (Statements in foreign languages)." (On sides of carton) "For Asthma and Bronchitis Guaranteed under the Food and Drugs Act, June 30, 1906. Guarantee No. 2687. For Coughs and Hoarseness Each ounce of this preparation contains, in addition to the Extract of Cod Liver Oil, Alcohol 2 per cent., Chloroform, 3 minims, Opium & grain, Cannabis Indica 4 grain, Morphine Sulphate 4 grain, in addition to Syrup Squills, Ipecac, Bloodroot, Tar, Wild Cherry, Spikenard, Tolu, Menthol and other valuable Expectorants and Stimulants." (On bottle) "Syrup of Tar Cod Liver Oil and Menthol. For Recent & Chronic Coughs Colds, Loss of Voice, Hoarseness, Bronchitis, etc. Each ounce of this preparation contains, in addition to the Extract of Cod Liver Oil, Alcohol 2 per cent., Chloroform 3 min., Opium & gr., Cannabis Indica $\frac{1}{4}$ gr., Morphine Sulph. $\frac{1}{40}$ gr., in addition to Syrup Squills, Ipecac, Bloodroot, Tar, Wild Cherry, Spikenard, Tolu, Menthol and other valuable Expectorants and Stimulants. Directions. For an adult, a teaspoonful 3 or 4 times a day; should the cough be very troublesome, more frequent doses may be taken with safety; children 3 to 10 years old, half teaspoonful; 1 to 2, fifteen drops; less than 1 year, eight to ten drops in sweetened water. tributed by Walter R. Hill West End Pharmacy Washington, D. C."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was essentially a sweetened hydroalcoholic solution containing small amounts of chloroform, menthol, morphine, and tar; ipecac, tolu, cannabis indica, and wild cherry were indicated; cod-liver oil was absent.

Misbranding of the article was alleged in the information for the reason that the following statement, appearing on the label of the bottle aforesaid, "Cod Liver Oil", and the following statement, appearing on the label of the carton aforesaid, "* * * Cod liver oil * * *," which latter statement was not corrected by the word "Extract" in small type appearing immediately thereafter, were false and misleading in that they indicated to the purchasers thereof that said article of drugs contained cod-liver oil, when, in truth and in fact, said article did not contain any amount of cod-liver oil whatever. Misbranding was alleged for the further reason that the following statement, appearing in prominent type on the label of the bottle aforesaid, to wit, "Syrup of Tar, Cod Liver Oil and Menthol," was false and misleading in that it indicated to purchasers thereof that the said article of drugs contained sirup of tar, cod-liver oil, and menthol, harmless medicinal agents, as its principal and most

active ingredients, when, in truth and in fact, the said article did not contain sirup of tar, cod-liver oil, and menthol as its principal and most active ingredients, but contained as its principal and most active ingredients, to wit, chloroform, morphine sulphate, opium, and cannabis indica, dangerous habit-forming drugs. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, "We Recommend This Remedy For All Diseases of the Throat and Lungs, Asthma," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all diseases of the throat and lungs and asthma, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all diseases of the throat or lungs, or asthma.

On October 6, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

4172. Adulteration of oats. U. S. * * * V. I, I, I, I, I and I Carload of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6287. I. S. Nos. 1187-k, 12334-k, 1184-k, 1185-k, 12336-k, 12342-k. S. No. E-214.)

On January 29, 1915, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 6 libels for the seizure and condemnation of 6 different carloads of oats, remaining unsold and unloaded from the cars, in or near Newport News, Va., alleging that one of the cars had been shipped December 28, 1914, two had been shipped December 30, 1914, and one had been shipped December 31, 1914, that one had been shipped January 7, 1915, and one had been shipped January 9, 1915, by the Hooper Grain Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia for export to a foreign country, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in each of the libels for the reason that the same had been mixed and packed with a certain substance, to wit, barley, and other substances, so as to reduce and lower and injuriously affect its quality and strength, and, further, for the reason that a certain substance, to wit, barley, and other substances, had been substituted in part for oats.

On February 12, 1915, upon motion of the said Hooper Grain Co., claimant, it was ordered by the court that the libels be consolidated and treated as one case. On the same date said claimant, by its answer having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$9,000, in conformity with section 10 of the act.

Carl Vrooman, Acting Secretary of Agriculture.

4173 (Supplement to Notice of Judgment 3833). Adulteration and misbranding of assorted wines. U. S. * * * v. 50 Cases of Assorted Wines. Product ordered destroyed. (F. & D. No. 6289. I. S. Nos. 971-k, 972-k, 2713-k. S. No. E-217.)

On September 24, 1915, in the above entitled case, the claimant, Giuseppe Arnaboldi, agent for C. Vazzoler, having failed to comply with the terms of the decree of March 10, 1915, in that he had paid into court only a part of the costs of the proceeding, it was ordered by the court, on motion of the United States attorney, that the product should be destroyed by the United States marshal.

4174. Adulteration and misbranding of "Crystal Lithium Spring Water."
U. S. v. George W. Hamilton (Crystal Lithia Water Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6295. I. S. No. 5196-h.)

On April 19, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George W. Hamilton, trading as Crystal Lithia Water Co., Excelsior Springs, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 27, 1914, from the State of Missouri into the State of Kansas, of a quantity of "Crystal Lithium Spring Water" which was adulterated and misbranded. The product was labeled: (On label) "Crystal Lithium Spring Water from Excelsior Springs, Mo. Registered Finest Table Water. Best Water in the Treatment of Brights Disease, Diabetes, Stomach Trouble, Rheumatism and Gravel. Return When Empty. Analysis Crystal Lithium Water by Prof. H. C. Parker, Professor of Chemistry and Physics, William Jewel College

Lithium Chloride	
Sodium Chloride	. 1188
Sodium Bicarbonate	3.0180
Aluminum Sulphate	3.0787
Calcium Sulphate	1.0045
Silica	1. 1089
Magnesium Sulphate	1. 4114
Calcium Bicarbonate	38. 0250
Iron Bicarbonate	Trace
Potassium Chloride	Trace

Made from U. S. Gallon, 101/2 per cent Richer than Buffalo Lithia. An excellent table water that keeps pure indefinitely." (On shipping tag) "Return when empty to Crystal Lithium Water Co. Excelsior Springs, Mo. M Sam Stewart 732 Minn Ave Kan City Kan."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

Ions:	
Silica (SiO ₂)	23.0
Sulphuric acid (SO ₄)	94.2
Bicarbonic acid (HCO ₃)	450.0
Nitric acid (NO ₃)	11.2
Chlorin (Cl)	17.8
Iron (Fe)	1.4
Aluminum (Al)	1.4
Calcium (Ca)	173.0
Magnesium (Mg)	11.1
Sodium (Na) calculated	9.7
Lithium (Li) ¹	. 0
-	
Total	791.4
Hypothetical combinations:	
Sodium nitrate (NaNO ₃)	15.3
Sodium chlorid (NaCl)	14. 1
Magnesium chlorid (MgCl ₂)	12.4
Magnesium sulphate (MgSO ₄)	39. 2

Hypothetical combinations—Continued,	
Calcium sulphate (CaSO ₄)	89. 1
Calcium bicarbonate (Ca(HCO ₃) ₂)	593. 9
Ferrous Bicarbonate (Fe(HCO ₃) ₂)	4.4
Silica (SiO ₂)	23. 0
-	
Total	791. 4
Sanitary:	
Ammonia, free	0.004
Ammonia, freeAmmonia, albuminoid	0. 004 0. 032
•	

Bacteriological examination of a sample of the article by said Bureau of Chemistry showed (after four days' incubation):

Bottle No.—	Organisms per cc., plain agar.		cc., plain agar.		B. coli isolated from—	Streptococci isolated from—	
1	70 150 140	90 260	1 cc quantities	0.01 ce quantities.			

Adulteration of the article was alleged in the information for the reason that it consisted in part of filthy, decomposed, and putrid animal or vegetable substance.

Misbranding of the article considered as a drug was alleged in the information for the reason that the following statement, appearing on the label aforesaid, to wit, "Lithium Chloride _____ 2.0725 * * * Made from U. S. Gallon * * *," was false and misleading in that it indicated to the purchasers thereof that each gallon of the said article of drugs contained 2.0725 grains of lithium chlorid, when, in truth and in fact, each gallon of said article of drugs did not contain 2.0725 grains of lithium chlorid, but contained little, if any, lithium chlorid. Misbranding of the article was alleged for the further reason that the following statement, regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Best Water in the Treatment of Brights Disease, Diabetes * * * Rheumatism and Gravel," was false and fraudulent in that the same was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole and [or] in part composed of, or contained, ingredients or medicinal agents effective, among other things, in the treatment of Bright's disease, diabetes, rheumatism, and gravel; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, in the treatment of Bright's disease, diabetes, rheumatism or gravel.

On May 27, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

4175. Adulteration of ketchup. U. S. v. Crnikshank Bros. Co. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 6300. I. S. No. 4372-h.)

On August 4, 1915, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cruikshank Bros. Co., a corporation, Pittsburgh, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 18, 1913, from the State of Pennsylvania into the State of New York, of a quantity of ketchup which was adulterated. The product was labeled: (On barrel) "Cruikshank Bros. Co. High Grade Ketchup. 1/10 of 1% Benzoate of Soda."

Examination of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Sample No.—	Yeasts and spores per 1/60 cubic millimeter.	Bacteria per cc.	Mold fila- ments. ¹	Remarks.
1	80 46 54 60	22, 000, 000 20, 000, 000 25, 000, 000 25, 000, 000	\$6 69 78 70	Partially decomposed vegetable product. Do. ² Do. Do.

Results expressed as per cent of microscopic fields in which mold filaments were present.
Small moldy fragments of tomato could be picked from this product.

The product was apparently sterile in 1 cc quantities when plated on dextrose and wort agars after six days' incubation, and when inoculated into dextrose fermentation tubes and incubated for four days.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of decomposed vegetable matter.

On August 4, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

4176. Misbranding of "Mag-No Brand Liniment." U. S. v. Leslie A. Knight (Mag-No Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 6302. I. S. No. 9106-h.)

On June 22, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leslie A. Knight, trading under the name and style of the Mag-No Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 8, 1914, from the State of Missouri into the State of Texas, of a quantity of "Mag-No Brand Liniment" which was misbranded. The article was labeled: (On bottle) "Mag-No Brand Liniment is good as the best for man and beast. Directions. Rub Liniment on afflicted part freely with palm of hand. On circular enclosed with bottle you will find list of Diseases and full directions for using Mag-No Liniment. Price 50c per bottle. Guaranteed by Mag-No Company. Under the Food and Drugs Act June 30, 1906. Serial Number 33679 Mag-No Company Proprietors St. Louis, Mo." (On carton) "Mag-No Brand Liniment for Man and Beast, Price 50 cents Guaranteed by Mag-No Company under the Food and Drugs Act June 30, 1906 Serial No. 33679 Mag-No Company Proprietors St. Louis, Missouri Mag-No Liniment is good as the best; for Rheumatism, Sprains, Stiff Joints, Sore Muscles, Painful Swellings, Neuralgia, Toothache, Earache, Headache, Coughs, Colds, Sore Throat, Cuts, Bites of Poisonous Insects, Frost Bites, Chilblains, Colic, Cramps and Chronic Skin Diseases. Full Directions for using on the Inside. A good liniment must have penetrating qualities—that's what Mag-No has, it penetrates like Magic whether of man or beast. Always keep a bottle of this valuable remedy on hand. Use Mag-No Liniment on your stock. It makes me feel fine. It is good for Colic, Soreness, Lameness and Stiff Joints, Swinney, Ringbone, Wind-galls, Sprains, Splints, Scratches, Old Ulcers and Sores, Sand Crack, Thrush, Diseased Hoofs and Spavin, Screw Worm, Foot Rot, Shoulder Rot and Scab in Sheep, Foul in the Foot, Hoof Disease in Cattle, Wounds, Ulcers, Grub under the Hide and Gadfly Stings. Directions for using on the Inside," The circular or pamphlet accompanying the article contained, among other things, the following statement: "A most remarkable Remedy for Conquering and Banishing Pain," "Ailments that Mag-No Liniment is Good for Rheumatism, Lumbago, Sciatica, Swellings, Contracted Muscles, Neuralgia, Bites and Poisonous Stings, Toothache, Earache, Headache, Cuts, Bruises, Sprains, Lame Back, Stiff Joints, Old Sores, Sore Throat, Diphtheria, Croup, Pain in Side, Back and Shoulders, Ulcers, Boils, Chilblains, Gout, Frost Bites, Colic, Cramps, Chronic Skin Diseases and every ailment that can be treated by an outward application," "Rheumatism-Doctors agree that Local Rheumatism can be cured as soon as the affected tissues are reached and relieved and the inflammations are subdued. The penetrating qualities of Mag-No Liniment make it a great Rheumatic Remedy."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was essentially an aqueous solution of ammonia flavored with sassafras oil and colored with a vegetable coloring matter.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Mag-No Liniment is good as the best; for Rheumatism * * * Mag-No Liniment * * * is good for * * * Swinney, Ringbone, Wind-galls, * Splints, * * * Spavin, * * * Scab in Sheep * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers

thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism and effective as a remedy for swinney, ringbone, windgalls, splints, spavin and scab in sheep; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, or effective as a remedy for swinney, or ringbone, or windgalls, or splints, or spayin, or scab in sheep. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circular or pamphlet aforesaid, to wit, "* * * Ailments that Mag-No Liniment is good for * * * Rheumatism * * * Diphtheria * * *," "* * * The penetrating qualities of Mag-No Liniment make it a great Rheumatic Remedy, * * * " were false and fraudulent in that, by means of the said circular or pamphlet, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, and effective as a remedy for diphtheria; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, or effective as a remedy for diphtheria.

On September 17, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

4177. Adulteration and misbranding of brandy. U. S. * * * v. 102 Cases of Brandy (so called). Product ordered released on bond. (F. & D. No. 6306. I. S. No. 290-k. S. No. E-222.)

On February 23, 1915, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 102 cases, each containing one dozen bottles of brandy, so called, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the articles had been shipped, on or about December 8, 1914, by John A. Leffler & Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cases were labeled, in part: "Imperial Cognac Brandy, Type * * * Glass Contents 12–1/5 Gals." The bottles were labeled: (Main label) "Imperial Cognac Type Brandy, contents 1/5 gallon." (Design medals) (Shoulder label bearing three stars).

Adulteration of the article was alleged in the libel for the reason that it was not a brandy of the cognac type, but that neutral spirits, colored in imitation of brandy, had been substituted in whole or in part, and had been mixed and packed with the brandy in such a manner as to reduce or lower or injuriously affect the quality and strength of the product.

Misbranding was alleged for the reason that the labels on the retail packages purported the product to be "Imperial Cognac Type Brandy," and indicated that it was produced in the Cognac district of France, when, in truth and in fact, the product was an imitation cognac and consisted wholly or in part of neutral spirits colored in imitation of brandy, and, further, for the reason that the product was not of foreign origin.

On April 16, 1915, John A. Leffler & Co., claimant, New York, N. Y., having filed an answer and the case having come on for final disposition, it was adjudged and decreed by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

4178. Adulteration of oats. U. S. v. 6 Cars of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6308. I. S. Nos. 11936-k, 11939-k, 11940-k, 13409-k, 13410-k, 13411-k, 13412-k. S. No. C-168.)

On February 24, 1915, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cars of oats, remaining unsold and unloaded from the cars at New Orleans, La., alleging that the product had been shipped, on or about January 8, 15, and 19, 1915, and transported from the State of Nebraska into the State of Louisiana, for export, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that examination of samples of the oats by the Bureau of Chemistry of the Department of Agriculture showed that said oats contained barley ranging in quantity from 11.7 per cent to 19 per cent, and that the same also contained weed seeds ranging in quantity from 1.69 per cent to 4.79 per cent, and that said oats, so contained in said cars, were adulterated within the meaning and intent of the act of Congress of June 30, 1906, known as the Food and Drugs Act.

On March 3, 1915, John T. Gibbons, New Orleans, La., claimant, having admitted the allegations in the libel, and consented to a decree, it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

Carl Vrooman, Acting Secretary of Agriculture.

29857°-16-3

4179. Misbranding of "Radway's Sarsaparillian." U. S. v. Radway & Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 6312. I. S. No. 7961-e.)

On July 20, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Radway & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on December 17, 1912, from the State of New York into the State of Ohio, of a quantity of "Radway's Sarsaparillian" which was misbranded. The article was labeled: (On carton) "Radway's Sarsaparillian (Guaranteed under the Food and Drugs Act, June 30, 1906. No. 537.) The combination of this principle with Pareira Brava, and with other remedial agents of extraordinary virtues for Purifying and Enriching the Blood, Known only to ourselves, forms Sarsaparillian Resolvent A. Great Remedy for curing Chronic Diseases and imparting The Vigor of Life to the Sick. Alcohol, 16.5 per cent. Radway & Co., New York. Directions General Dose. Adults—From a tea- to a dessert-spoonful. Infants of 1 year 5 drops. Infants of 6 years 10 drops. Infants of 10 years 15 drops. Infants of 15 years 20 drops. Repeated three times a day, half an hour after each meal. The dose can be increased or diminished, according to the symptoms of the patient. Keep the bottle in the box, to prevent exposure to light. (See directions inside)" (On sides of carton) "Sarsaparillian!" (On back of carton) Printed in foreign language. (On wrapper) "R R R Guaranteed under Food and Drugs Act, June 30, 1906. No. 537. Radway's Renovating Resolvent for the Cure of Chronic Diseases, such as Scrofulous, Syphilitic, Bladder and Kidney Complaints, Consumption, Bronchitis & Other Affections of the Lungs & Indurations and Enlargement of Parts, Neuralgia Eruptive and Various Diseases of the Skin. Alcohol 16.5 per cent. Radway & Co. New York, Price One Dollar Copyright Secured." (On side of wrapper) "Sarsaparillian." (On opposite side of wrapper) "Sarsaparilla." (Blown in bottle) "Radway's Sarsaparillian Resolvent R. R. R. Entd. Accord To Act of Congress." The pamphlet or circular accompanying the article contained, among other things, the following statements: "R. R. R. Directions for Using Dr. Radway's Remedies. * * * That the reader may the more readily determine the dose and remedy required, we have arranged the more general ailments and diseases in alphabetical order. Previous to which we introduce to the reader a brief explanation of the special curative properties of each of the R. R. R. remedies. * * * " "Sarsaparillian Resolvent. It is called Resolvent because it possesses properties that resolve, discuss, and melt away hard substances, such as Tumors, Nodes, Hard Swellings, Lumps, Concretions-either Biliary or Calculous, in the Joints, Gall-Duct, Kidneys, Bladder, Groin, Testes, etc. * * * The name of this remedial agent illustrates its properties. As the Ready Relief is a Specialty for Acute, Inflammatory, and Active Ailments, the Sarsaparillian is a Special Curative for all Chronic and Passive Diseases, either inoculated or inherited. * * * " "Syphilis -- either primary or secondary, Syphilitic Ulcers, Nodes, Swellings, Tumors, Hard Lumps, Ulcerated and Sore Throat-either from syphilitic virus or Mercury, Sore Eyes, Sore Nose, Sore Mouths, Cankers, Cancers, Strumous Discharges from the Ears, Nose, or Eyes, Sore Legs; all varieties of Skin Diseases, Salt Rheum, Herpes, Ring-Worm, Tetters, Rash, Pustules, Pimples, Sycosis, Acne, Ladies' Complaints." "Leucorrhea, Falling of the Womb, Ulcers, Tumors, Nodes, and all Uterine difficulties," "Kidney Complaints, Ulceration, Tubercles, and Grubs in the Kidneys, Weakness, Paralysis, and Inflammation in the Bladder, Diabetes, Gravel, Calculus, Concretions, Brick-Dust, Albuminous, White Bone-Dust Deposits, Morbid or Turbid Urine. * * * " "Anemia (Bloodlessness).—This condition or habit of system is common. Ladies who have suffered a long time with leucorrhœa and other drains from the system, chlorosis, weakness, etc., a dessertspoonful of Resolvent, three times a day, good nourishing diet, and, if the liver is out of order, Radway's Pills, in doses to regulate. Two to four must be taken in these cases. The food is converted into water, and ladies will find that their catamenia is of pale straw color. Sarsaparillian Resolvent is a sure cure. Injections of salt water into the vagina, and a build-up diet."

An analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a hydroalcoholic solution of sugar, potassium iodid, arsenic, a trace of alkaloids, amygdalin and other plant substances; alcohol, by specific gravity, 14.9 per cent; ash, 0.67 per cent; arsenic, 0.005 per cent; iodin (combined), 0.57 per cent; total solids, 14.6 per cent.

Misbranding of the article was alleged in the information for the reason that the following statement descriptive of the therapeutic or curative effects of the said article, appearing on the label of the wrapper aforesaid, to wit, "Radway's Renovating Resolvent for the Cure of Chronic Diseases, such as * * * Consumption * * *," was false and fraudulent in that the same was applied to said article knowingly and in disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of consumption; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the cure of consumption, Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the said article, appearing in the circular or pamphlet aforesaid, to wit, "* * * we introduce to the readers a brief explanation of the special curative properties of each of the R. R. R. Remedies. * * * " "Sarsaparillian Resolvent. It is called Resolvent because it possesses properties that resolve, discuss, and melt away hard substances, such as * * * Concretions—either Biliary or Calculous, in the Joints, Gall-Duct, Kidneys, Bladder, * * * The name of this remedial agent illustrates its properties. * * * the Sarsaparillian is a Special Curative for all Chronic and Passive Diseases, either inoculated or inherited. * * *," " * * * Cancers * * * all varieties of Skin Diseases, Salt Rheum, Herpes, Ring-worm, Tetters * * * Sycosis, * * * " Leucorrhea, Falling of the Womb * * * and all Uterine difficulties." "* * * Tubercles, * * * the Kidneys * * * Paralysis * * * Diabetes, Gravel, Calculus * * " "Anemia * * * Chlorosis * * * Sarsaparillian Resolvent is a sure cure * * *," were false and fraudulent in that the same were applied to said article knowingly and in disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for resolving and melting away hard substances, such as biliary or calculous concretions, in the joints, gall-duct, kidneys and bladder, and effective as a cure for cancers, all varieties of skin diseases, salt rheum, herpes, ring-worm, tetter, sycosis, leucorrhea, falling of the womb, all uterine difficulties, tubercles in the kidneys, paralysis, diabetes, gravel, and calculus, and as a sure cure for anemia and chlorosis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients

or medicinal agents effective, among other things, for resolving or melting away hard substances, such as biliary or calculous concretions in the joints, gall-duct, kidneys, or bladder, or effective as a cure for cancers, all varieties of skin diseases, salt rheum, herpes, ring-worm, tetter, sycosis, leucorrhea, falling of the womb, all uterine difficulties, tubercles in the kidneys, paralysis, diabetes, gravel or calculus, or as a sure cure for anemia, or chlorosis.

On July 27, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

4180. Adulteration of flour. U. S. * * * v. 1,000 Sacks * * * and 350 Sacks * * * of Flour. Consent decree of condemnation and forfeiture. Product ordered released upon the payment of costs of the proceedings. (F. & D. No. 6321. I. S. Nos. 11735-k, 11736-k. S. No. C-160.)

On February 27 and March 1, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1,000 sacks and 350 sacks, each containing 140 pounds of flour, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the product had been shipped, on January 29, 1915, and transported from the State of Ohio into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly of a filthy animal substance; for the further reason that it consisted in part of a filthy animal substance; for the further reason that it consisted wholly of a decomposed animal substance; for the further reason that it consisted in part of a decomposed animal substance; for the further reason that it consisted wholly of a decomposed vegetable substance; and for the further reason that it consisted in part of a decomposed vegetable substance.

On April 8 and May 27, 1915, John H. Burton, Chicago, Ill., claimant, having admitted the allegation in the libels that the whole of the article of food consisted of a decomposed vegetable substance, and the court having considered the answer of said claimant and having heard the arguments of counsel, judgments of condemnation and forfeiture were entered, and it appearing to the court that the product, while unfit for food, might be used for paste and other mechanical purposes, it was ordered by the court that the United States marshal be authorized and directed to denature the product by sprinkling upon the outside of each of the sacks of flour powdered naphthalene which should be furnished by said claimant and that the product, after having been sufficiently denatured, should be released to said claimant upon payment of all the costs of the proceedings.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the article consisted of an animal substance.)

Carl Vrooman, Acting Secretary of Agriculture.

4181. Adulteration and misbranding of vinegar. U. S. v. 5 Barrels of Vinegar. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 6323. I. S. No. 14511-k. S. No. C-175.)

On March 8, 1915, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of vinegar, remaining unsold in the original unbroken packages at Xenia, Ohio, alleging that the product had been shipped and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled; "B. T. Chandler & Son 40 Grain Cider Vinegar."

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, a mixture of distilled vinegar and boiled cider or caramel, had been substituted for what the said article by its said label purported to be, to wit, cider vinegar.

Misbranding was alleged for the reason that the labels, marks, and brands aforesaid upon the barrels and packages of the article of food bore a statement, to wit, "40 Grain Cider Vinegar," regarding the article and the ingredients and substances contained therein, which said statement was false and misleading in that the article of food was not cider vinegar, but, in truth and in fact, was a mixture of distilled vinegar and boiled cider or caramel. Misbranding was alleged for the further reason that the article of food, being as aforesaid a mixture of distilled vinegar and boiled cider or caramel, and being labeled as aforesaid, was an imitation of, and offered for sale under the distinctive name of, another article of food, to wit, cider vinegar. Misbranding was alleged for the further reason that the article of food was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into the belief that the same was cider vinegar, whereas, in truth and in fact, it was not cider vinegar, but was a mixture of distilled vinegar and boiled cider or caramel.

On April 6, 1915, no claimant having appeared for the property, it was ordered by the court that the libel be taken pro confesso. On May 8, 1915, the case having come on for final hearing, and no claimant having yet appeared, judgment of condemnation and forfeiture was entered, and it appearing to the court that the labels and brands upon the barrels of vinegar might be altered so as to describe truthfully and correctly the contents thereof, it was ordered by the court that the product should be sold by the United States marshal after having been relabeled under the supervision of a United States food and drugs inspector.

Carl Vrooman, Acting Secretary of Agriculture.

4182. Adulteration and misbranding of coffee. U. S. v. William H. Fischer et al. (B. Fischer & Co.). Plea of guilty. Fine, \$15. (F. & D. No. 6330. I. S. No. 2481-h.)

On September 21, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Fischer, Charles E. Diefenthaler, Frederick I. Bushnell, George E. Diefenthaler, and Theodore O. Budenbach, trading under the firm name of B. Fischer & Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on July 18, 1913, from the State of New York into the State of Ohio, of a quantity of coffee which was adulterated and misbranded. The product was labeled: (On can) "Java & Mocha Coffee (Picture of man drinking) Roasted and Packed Expressly for Geo. Stuhldreher & Son, 18 Park Avenue, Mansfield, Ohio."

Examination of a sample of the product by the Bureau of Chemistry of this department showed it to be a mixture of coffees containing approximately 30 per cent of Santos.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, Santos coffee, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, Santos coffee, had been substituted wholly or in part for Java and Mocha coffee which the said article purported to be.

Misbranding was alleged for the reason that the following statement regarding the identity of the article and its ingredients, appearing on the label aforesaid, to wit, "Java & Mocha Coffee," was false and misleading in that it indicated to the purchasers thereof that said article consisted wholly of a mixture of Java and Mocha coffee, when, in truth and in fact, the said article did not consist wholly of a mixture of Java and Mocha coffee, but consisted of a mixture composed in part of Santos coffee. Misbranding was alleged for the further reason that the article was a mixture composed in part of Santos coffee and was sold under the distinctive name of another article, to wit, Java and Mocha coffee. Misbranding was alleged for the further reason that the article was labeled "Java & Mocha Coffee" so as to deceive and mislead the purchasers thereof into the belief that it consisted wholly of a mixture of Java and Mocha coffee, when, in truth and in fact, the said article did not consist wholly of a mixture of Java and Mocha coffee, but consisted of a mixture composed in part of Santos coffee.

On September 28, 1915, a plea of guilty was entered on behalf of the defendant copartnership, and the court imposed a fine of \$15.

4183. Adulteration and misbranding of vinegar. U. S. v. 23 Barrels of Vinegar. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 6331, 6332, 6333, 6334, 6335, 6336, 6337, 6338. I. S. Nos. 1188-k. 1190-k. 1191-k, 1192-k. 1193-k. S. No, E-226.)

On March 4, 1915, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 barrels of vinegar, remaining unsold in the original unbroken packages at Cherrydale, Ballston, Falls Church, and Clarendon, Va., alleging that the article had been shipped, on November 26 and 28 and December 2 and 7, 1914, and transported from the State of New York into the District of Columbia, and shipped, on or about December 9, 1914, from the District of Columbia into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On one head of barrels) "Purity Vinegar Works, Cohocton, N. Y., Purity Brand Pure Apple Cider Vinegar, Geo. Naas and Son Co. Prop." (On other head of barrels) "Reduced with Water."

Adulteration of the article was alleged in the libel for the reason that a certain substance had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, that is to say, a certain substance known as spirit vinegar, to wit, from 15 to 20 per cent spirit vinegar. It was further alleged that the vinegar was adulterated by the addition of boiled cider, phosphoric acid, and carbonate of potash.

Misbranding was alleged for the reason that the article was labeled "Pure Apple Cider Vinegar," whereas, it was, in fact, vinegar to which spirit vinegar, boiled cider, phosphoric acid, and carbonate of potash had been used in sophistication of the said product.

On July 8, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, after the same should have been relabeled.

(The report of this department, upon which proceedings in this case were based, did not include a finding that the vinegar was adulterated by the addition of boiled eider, phosphoric acid, and carbonate of potash.)

4184. Adulteration and misbranding of vinegar. U. S. * * * v. 40 Barrels of Vinegar * * *. Consent decree of condemnation and forfeiture. Froduct ordered released on bond. (F. & D. Nos. 6339, 6340, 6341, 6342, 6343, 6344, 6345, 6346, 6347, 6348, 6349, 6350, 6351, 6352, 6353, 6354. I. S. Nos. 1188-k, 1190-k, 1191-k, 1192-k, 1193-k. S. No. E-225.)

On March 8, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels of vinegar, remaining unsold in the original unbroken packages at Riverdale, Friendship Heights, Landover, Glendale, Mulliken, Kensington, Forest Glen, Bethesda, Cropley, Potomac, Cabin John, and Mount Rainier, Md., alleging that the product had been shipped and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: (On one head) "Purity Vinegar Works, Cohocton, N. Y., Purity Brand and Pure Apple Cider Vinegar, Geo. Naas and Son Company, Prop." (On other head) "Reduced with water."

It was alleged in the libel that the article was adulterated because there had been mixed and packed with, and substituted for, pure apple cider vinegar, distilled vinegar and added mineral matter, in such a manner as to reduce and lower and injuriously affect its quality and strength, and misbranding was alleged for the reason that the labels were false and misleading in that they declared the article to be purity brand pure apple cider vinegar, when, in truth and in fact, the said product contained distilled vinegar and added mineral matter.

On June 28, 1915, George Naas & Son Co., Cohocton, N. Y., claimant, having filed an answer submitting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered and surrendered to said claimant company upon the execution of a good and sufficient bond in the sum of \$500, in conformity with section 10 of the act.

4185. Adulteration and misbranding of "Imperial Cognac Brandy. A Compound." U. S. v. Anina Giordano. Plea of guilty. Fine, \$25. (F. & D. No. 6357. I. S. No. 8258-h.)

On May 21, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anina Giordano, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on April 24, 1914, from the State of New York, into the State of New Jersey, of a quantity of "Imperial Cognac Brandy. A Compound" which was adulterated and misbranded. The product was labeled: (Neck label) Three stars. (Main label) "Imperial Cognac Brandy. A Compound. Guaranteed under the Pure Food and Drugs Act, June 30, 1906. A. Giordano, 77 Sullivan Street New York." medals.)

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters proof, unless otherwise noted:

Proof (degrees)	78.7
Fusel oil	6.7
Esters (as ethyl acetate)	3.4
Acids (as acetic)	11.4
Aldehydes (as acetaldehyde)	0.5
Furfural	0.06
Caramel: Present.	

The sample appears to be wholly or very largely neutral spirits prepared in imitation of brandy.

Adulteration of the article was alleged in the information for the reason that a product consisting almost wholly of neutral spirits, artificially colored, had been substituted in whole or in part for cognac brandy which the said article purported to be, and for the further reason that the article was an imitation cognac brandy, consisting almost wholly of neutral spirits, and had been colored in a manner whereby its inferiority to genuine cognac brandy was concealed.

Misbranding was alleged for the reason that the following statement regarding the identity of the article and its ingredients, appearing in prominent type on the principal label, to wit, "Imperial Cognac Brandy," not corrected by the statement "A Compound," in inconspicuous type immediately thereunder, and the representations of three stars on the neck label of the said article, were false and misleading in that they indicated to the purchasers thereof that said article of food was genuine cognac brandy and brandy produced in the Cognac district, Republic of France; when, in truth and in fact, the said article was not genuine cognac brandy and was not produced in the Cognac district, Republic of France, but was an imitation product of domestic origin, manufactured in the city of New York, State of New York. Misbranding was alleged for the further reason that the article was an imitation cognac brandy consisting almost wholly of neutral spirits, artificially colored, and was sold under the distinctive name of another article, to wit, cognac brandy. Misbranding was alleged for the further reason that the article was labeled in prominent type "Imperial Cognac Brandy," which labeling was not corrected by the statement "A Compound," appearing in inconspicuous type immediately thereunder, and bore on the neck label thereof representations of three stars so as to deceive and mislead the purchasers into the belief that it was genuine cognac brandy

and brandy produced in the Cognac district, Republic of France; when, in truth and in fact, it was not genuine cognac brandy and was not produced in the Cognac district, Republic of France, but was an imitation product of domestic origin, manufactured in the city of New York, State of New York.

On May 27, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

4186. Misbranding of "Dr. Shoop's Diphtheria Remedy" and "Dr. Shoop's Preventies." U. S. v. Dr. Shoop's Laboratories, Inc. Plea of guilty. Fine, \$50. (F. & D. No. 6364. I. S. Nos. 6937-e, 9315-e.)

On June 11, 1915, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. Shoop's Laboratories (Inc.), a corporation, Racine, Wis., alleging shipment by the said company, in violation of the Food and Drugs Act, as amended:

(1) On or about November 1, 1912, from the State of Wisconsin into the State of Colorado, of a quantity of "Dr. Shoop's Diphtheria Remedy" which was misbranded. This article was labeled: (On bottle) "Dr. Shoop's Diphtheria Remedy For The Relief of Diphtheria, Catarrhal Sore Throat, Tonsilitis, Pharangitis, And all Acute and Membranous Diseases of the Throat and Pharanx, indicated by smarting or burning of the throat, with soreness when swallowing. A remedy to remove white or gray patches of membrane from the throat usually found in Diphtheria or Catarrhal Throat Diseases. Directions: From 1 to 3 years, 2 to 5 drops; 3 to 5 years, 5 to 10 drops; 5 to 10 years, 1 teaspoonfull; over 10, teaspoonfull. Take every hour the first day, and two hours apart afterwards, Gargle the throat with equal parts of alcohol and water in severe cases. Where fever exists take Dr. Shoop's Preventics between doses of this remedy. 50 Cents, Prepared by Dr. C. I. Shoop, Racine, Wis." (On carton) "Dr. Shoop's Diphtheria Remedy For The Relief of Diphtheria, Catarrhal Sore Throat, Tonsilitis, Pharyngitis, And All Acute and Membranous Diseases of the Throat and Pharynx, indicated by smarting or burning of the throat, with a sense of soreness when swallowing, sometimes extending to the ears. A potent remedy to remove white or gray patches of membrane from the throat usually found in Diphtheria or Catarrhal Throat Diseases. Directions: From 1 to 3 years, 2 to 5 drops; 3 to 5 years, 5 to 10 drops; 5 to 10 years, 1 teaspoonful; over 10, teaspoonful. Take every hour the first day, and two hours apart afterwards. Gargle the throat with equal parts of alcohol and water in severe cases. Where fever exists take Dr. Shoop's preventics between doses of this remedy. 50 Cents Prepared by Dr. C. I. Shoop, Racine, Wis." (Same label in foreign languages on other sides.)

Analysis of a sample of this article by the Bureau of Chemistry of this department showed the preparation to consist of sugar sirup with a very small amount of a soluble chromate, glycerin, and salicylic acid.

Misbranding of this article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, "Dr. Shoop's Diphtheria Remedy For The Relief Of Diphtheria, * * * all * * * Membranous Diseases of the Throat * * * \Lambda remove white or gray patches of membrane from the throat usually found in Diphtheria * * * Where fever exists take Dr. Shoop's Preventics between doses of this remedy, * * * " were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that, it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief of, and as a remedy for, diphtheria and all membranous diseases of the throat, when used alone, or where fever exists in the said diseases, when used in conjunction with "Dr. Shoop's Preventics," a medicinal preparation more fully referred to and described hereinafter; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the relief of, or as a remedy for,

diphtheria, or all membranous diseases of the throat, when used alone, or where fever exists in the said diseases, when used in conjunction with "Dr. Shoop's Preventics."

(2) On or about January 27, 1913, from the State of Wisconsin into the State of Minnesota, of a quantity of "Dr. Shoop's Preventics" which was . This article was labeled: (On box) "Dr. Shoop's Preventics Prevent Colds Check Fevers and La Grippe A preventive which Trade Mark usually intercepts a Cold, if promptly used as soon as Fever or sneezing begins. To stop a Cold at once, is to prevent Pneumonia. A valuable prescription for La Grippe, A quick check for fever, A prompt relief for Speakers' and Singers' hoarseness. Contains no quinine, no laxative, Nothing harsh or sickening. 48 Preventics 25 Cents. Four times in five when a Physician is called he finds a condition that calls for a remedy like Preventics. They prevent colds if taken as soon as the first symptom is noticed. They Check Colds by opening the pores and keeping them open, continuing gentle perspiration; also making the kidneys active. They check Fever resulting from colds, by relieving the blood congestion. They often relieve Teething Children by removing the blood congestion in the gums. This one remedy kept in the House may save half of your sickness. Directions:—Children under one year of age, \(\frac{1}{4}\) of a Preventic; from one to five years, ½ Preventic; from 5 to 12 years, one Preventic; adults, one to two Preventics, according to severity of case. Give doses from one to two hours apart. In severe cases a few doses may be given 30 minutes apart. Dissolve Preventics in the mouth like candy. For infants, Preventics may be crushed if necessary. Five advantages 1st-They usually bring immediate results. 2nd—Not harsh nor sickening; 3rd—Taste like Candy; 4th—Can be always in your pocket; 5th—Cost about ½ cent per dose From Dr. Shoop's Laboratories Racine, Wis."

Analysis of a sample of this article by said Bureau of Chemistry showed the product to be a tablet containing a small amount of unidentified vegetable extractive matter; alkaloids, mercury, acetanilid, caffein, arsenic, and antimony were absent.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, "Dr. Shoop's Preventics * * Prevents Colds Check Fevers and La Grippe A preventive which usually intercepts a Cold, if promptly used as soon as Fever or sneezing begins. To stop a Cold at once, is to prevent Pneumonia. A valuable prescription for La Grippe, A quick check for fever, * * *. They prevent colds if taken as soon as the first symptom is noticed. They Check Colds by opening the pores and keeping them open, continuing gentle perspiration; also making the kidneys active. They check Fever resulting from colds, by relieving the blood * * * This one remedy kept in the House may save half of your sickness," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a preventive of colds, fevers, grippe, and pneumonia; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a preventive of colds, fevers, grippe, or pneumonia.

On June 30, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

4187. Adulteration of tomato pulp. U. S. * * * v. 708 Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6367. I. S. No. 11737-k, S. No. C-177.)

On March 10, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 708 cases, each containing 48 cans of tomato pulp, remaining unsold in the original unbroken packages, at Chicago, Ill., alleging that the product had been shipped, on January 8, 1915, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance; for the further reason that it consisted in part of a filthy vegetable substance; for the further reason that it consisted in part of a decomposed animal substance; for the further reason that it consisted in part of a decomposed vegetable substance; for the further reason that it consisted in part of a putrid animal substance; and for the further reason that it consisted in part of a putrid vegetable substance.

On June 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the article was putrid or that it consisted in part of an animal substance.)

4188. Misbranding of "Hot X-Ray Porous Plaster." U. S. v. T. A. Sloeum Co. Plea of guilty. Fine, \$75. (F. & D. No. 6372. I. S. No. 10132-e.)

On June 29, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the T. A. Slocum Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 18, 1913, from the State of New York into the State of Michigan, of a quantity of an article called "Hot X-Ray Porous Plaster" which was misbranded. The article was labeled: (On Plaster) "Hot X-Ray Porous Plaster The Best The Master of Aches and Pains Guaranteed by T. A. Slocum Co. under the Food and Drugs Act, June 30, 1906. Guaranty No. 332 (Formula Dr. Slocum) Pain is a symptom, a signal of distress in the soft parts of the body. When it is in the bones or joints it is termed an Ache. In either condition there is always more or less irritation or inflammation, accompanied by a change of temperature in the parts, with swelling and sometimes redness. The swelling causes pressure, the nerves are put upon a stretch and they communicate the signal (pain) to the brain. This is the physiology of pain, briefly stated. Barring out dangerous drugs, to which sufferers are likely to become habituated, the safest and quickest way to overcome and expel pains and aches is to apply a counter-irritant. counter-irritant is a remedy which, when applied to the surface directly over the affected parts, draws out the pain without injuring the skin or other soft The Hot X-Ray Plaster, made after the formula of Dr. Slocum, is a powerful counter-irritant. It is composed of the most potent drugs, so accurately and scientifically blended together that they do not irritate the most delicate skin; in fact, their application is followed by a feeling of comfort and pleasure. The Hot X-Ray Plaster penetrates the soft parts of the bones with equal facility. The deep-seated pains of Lumbago, Sciatica, Backache, White Swelling, Joint-Sprains, Pleurisy, Intercostal Neuralgia, etc., etc., can not escape its piercing rays. For all forms of Rheumatism—Muscular or Articular—it is a good Specific. It also relieves Neuralgia, Crick in the Neck, Strains, Kidney Pains, Cramps, Sore Throat, Coughs, Hoarseness, Liver and Stomach Pains, Gastritis, Numbness, Chest Pains, Croup and other Aches and Pains. carefully the directions on the following pages." The pamphlet or circular accompanying the article contained, among other things, the following statements: "The illustrations here presented show just where the Plasters should be applied for the relief and cure of certain ailments whose presence is indicated by specific aches or pains. Fig. 1.—Lumbago, Backache, Kidney Trouble, &c. For Kidney Troubles, such as Suppression or Retention of Urine, Strangury, Kidney Colic and Pains in the Loins, the Hot X-Ray Plaster should be applied in the position here shown (Fig. 1). Fig. 3.—Chest, Throat and Lungs. In Pains of these parts, such as Coughs, Colds, Bronchitis, Croup, Laryngitis, Sore Throat, Hoarseness, Asthma, Pleurisy and Pneumonia, apply the Hot X-Ray Plaster in the position here indicated (Fig. 3). In Pneumonia, a second Plaster should be applied, as in Fig. 4. Fig. 4.—Pneumonia, Constipation, &c. In Pneumonia, Pleurisy, the deep-seated Cough of Consumption, and Pain under the Shoulder blade, the Hot X-Ray Plaster may be applied as here shown (Fig. 4). Fig. 5.— Heart Palpitation and Intercostal Neuralgia. Apply the Hot X-Ray Plaster as here shown (Fig. 5) for Intercostal Neuralgia, Angina Pectoris and Fluttering, Palpitation or a sense of Smothering in the Heart. Fig. 7.—Dyspepsia, Stomach Pains, Ague Cake, &c. In all forms of Indigestion or Dyspepsia. Flatulence, Heartburn, Gastralgia, Nausea, etc., the Hot X-Ray Plaster should be applied as demonstrated in Fig. 7. When there is enlargement of the Spleen (Ague Cake) as found in Malarial districts, the Plaster should be applied in like manner. Fig. 8.—Locomotor Ataxia and Spinal Aches and Pains. Apply the Hot X-Ray Plaster, cut in strips as here shown (Fig. 8), when there is tenderness or pain along the spine or in the back of the neck. Also in Locomotor Ataxia, which is indicated by spinal weakness and more or less unsteadiness in walking."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be essentially a red rubber base with capsicum as the medicament.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the plaster aforesaid, to wit, "Hot X-Ray Porous Plaster * * * pains of * * * White Swellings * * * Pleurisy deep-seated can not escape its piercing rays. For all forms of Rheumatism Muscular or Articular * * * it is a good Specific. It also relieves Gastritis * * *," were false and fraudulent in that the same were applied to said article knowingly and in disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for the deep-seated pains of white swellings and pleurisy, and effective as a specific for all forms of rheumatism, muscular or articular, and effective for relieving gastritis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for deep-seated pains of white swellings or pleurisy, or effective as a specific for all forms of rheumatism, muscular or articular, or effective for relieving gastritis. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of said article, included in the circular or pamphlet aforesaid, to wit, "The illustrations here presented show just where the Plasters should be applied for the relief and cure of certain ailments whose presence is indicated by specific aches and pains. * * For Kidney Troubles such as Suppression or Retention of Urine, Strangury, Kidney Colic * * * the Hot X-Ray Plaster should be applied in the position here shown (Fig. 1). * * * * Chest, Throat and Lungs. In Pains of these parts such as * * * Croup * * * Asthma, Pleurisy and Pneumonia apply the Hot X-Ray Plaster in the position here indicated (Fig. 3). In Pneumonia, a second plaster should be applied, as in Fig. 4. * * * Pneumonia, Consumption, &c. In Pneumonia, Pleurisy, the deep-seated Cough of Consumption * * * the Hot X-Ray Plaster must be applied as here shown (Fig. 4). * * * Apply the Hot X-Ray Plaster as here shown (Fig. 5). for * * * Angina Pectoris * * *. * * * In all forms of Indigestion or Dyspepsia * * * the Hot X-Ray Plaster should be applied as demonstrated in Fig. 7. When there is enlargement of the Spleen (Ague Cake) as found in Malarial districts, the Plaster should be applied in like manner. Locomotor Ataxia * * * Apply the Hot X-Ray Plaster, cut in strips as here shown (Fig. 8), when there is * * * Locomotor Ataxia, which is indicated by spinal weakness and more or less unsteadiness in walking," were false and fraudulent in that the same were applied to said article knowingly and in disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief and cure of the following diseases: Suppression or retention of urine, strangury, kidney colic, croup, asthma, pleurisy, pneumonia, the deep-seated

cough of consumption, angina pectoris, all forms of indigestion or dyspepsia, enlargement of the spleen, and locomotor ataxia; when, in truth and in fact, the said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the relief or cure of the following diseases: Suppression or retention of urine, strangury, kidney colic, croup, asthma, pleurisy, pneumonia, the deep-seated cough of consumption, angina pectoris, all forms of indigestion or dyspepsia, enlargement of the spleen, or locomotor ataxia.

On July 2, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, Acting Secretary of Agriculture.

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4189. Adulteration of beans. U. S. * * * v. 50 Bags of Beans * * *.

Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6373. I. S. No. 3016-k. S. No. E-231.)

On March 15, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 bags of beans, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been shipped and transported from the State of Michigan into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable matter.

On June 11, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product consisted of putrid vegetable matter.)

Carl Vrooman, Acting Secretary of Agriculture.

4190. Misbranding of "Matusow's Nulfey." U. S. v. Harry Matusow. Tried to the court and a jury. Verdict of guilty. Fine, \$200 and costs. (F. & D. No. 6387, I. S. No. 9632-e.)

On June 6, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information, and on July 29, 1915, an amended information, against Harry Matusow, Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 28, 1913, from the State of Pennsylvania into the State of Maryland, of a quantity of "Matusow's Nulfey" which was misbranded. The product was labeled: (On bottle) "Matusow's Nulfey Trade Mark (Reg. U. S. Pat. Office.) A rational remedy for Rheumatism, Paralysis, Gout, Liver, Kidney, Bowel and Bladder Troubles. Uric Acid Solvent and System Regulator. Price, 50 cents. Originated, Owned and Distributed by Harry Matusow, Ph. G., Chemist, 3d St. and Columbia Ave., Philadelphia, Pa., U. S. A. For Sale by All Druggists. Directions Take two tablets, followed by half-a-tumblerful or more of water, four times a day, before or after eating and at bedtime. You must have three bowel movements each day, to get the full benefit of the medicine. If you have more than three movements, take less medicine; if you have less than three, take more medicine. Children less, according to age. For fuller directions, see pages 2 and 3 of booklet. Guaranteed by Harry Matusow under the Food and Drugs Act, June 30, 1906. No. 3213." (On cartons) "Matusow's Nulfey Trade Mark (Reg. U. S. Pat. (Tablets) A rational remedy for Rheumatism, Paralysis, Gout, Liver, Kidney, Bowel and Bladder Troubles. Uric Acid Solvent and System Regulator. Price 50 Cents Originated, Owned and Distributed by Harry Matusow, Ph. G., Chemist, 3d St. and Columbia Ave. Philadelphia, Pa., U. S. A. For Sale by All Druggists Blood Purifier Matusow's Nulfey is a Blood Purifier of exceptional merit. It tends to remove humors from the Blood and to Clear the Skin and Complexion. It is a Blood Purifier that does not weaken the system—on the contrary it imparts to it tone and strength. It removes that tired, drowsy and ambitionless feeling and increases the appetite, Matusow's Nulfey A Rational System Remedy For Rheumatism, Paralysis, Gout, Liver, Kidneys, Bowels, Bladder, Stomach and the Blood, Guaranteed by Harry Matusow under the Food and Drugs Act, June 30, 1906. No. 3213 Rheumatism Remedy Matusow's Nulfey is a remedy which will cure any case of Rheumatism that is curable. It assists the Kidneys, Liver and Bladder, and tends to restore a healthy activity." The booklet accompanying the product contained, among other things, the following statements: "Mr. Albert F. Rathgeber, of 975 N. Lawrence Street, Philadelphia, Pa., suffered for over five years from a condition which caused him to be perfectly helpless from his hips down; he could not take two steps without falling; his bowels and urinary organs seemed to be paralyzed, which caused chronic constipation and involuntary voidance of the urine. He could not get in or out of bed without assistance. The doctors pronounced his case locomotor ataxia, and incurable. He tried every remedy he heard of, without deriving the slightest relief from any of them. He was recommended by a friend to try Matusow's Nulfey (tablets). The first bottle improved his condition; he continued to use Matusow's Nulfey (tablets) until he was cured. He can now walk, his bowels move regularly, has control in retaining his urine, and tends to his work remarkably well for a man of his age." "Kidney and Bladder Troubles, Bright's Disease, Diabetes, Dropsy, Hydrocele and Stone in the Kidney. As a remedy for disorders of the Kidneys, Bladder and Urinary Channels, the value of Matusow's Nulfey (tablets) has been established, and is already too well demonstrated in thousands of cases

to need any comment on our part. The results it has accomplished, many in cases pronounced incurable and chronic, even in cases diagnosed as Bright's Disease, Diabetes and Dropsy, speak for its efficacy in a manner that the most skeptical cannot disregard. Its combined Diuretic and Tonic properties constitute an effective remedy in such diseases. It assists the kidneys to perform their functions, at the same time that it promotes functional activity in all other organs, thereby providing help for the Kidneys while they are regaining their normal tone. It stops excessive action of the mucous membrane, attendant upon catarrh of the urinary organs, and relieves the urine of unnatural sediment, such as sand or gravel." "Matusow's Nulfey (tablets) is the best remedy for all Stomach Troubles." "Gall Stones The cause of Gall Stones frequently is a bad liver. The bile hardens and forms various sized and shaped stones, which lodge in the tube carrying the bile. The intense and agonizing pains experienced by the poor sufferer are well known. There is no remedy known to science which is of equal benefit as Matusow's Nulfey (tablets) in the treatment of Gall Stones. Use Matusow's Nulfey (tablets) early and persistently and you will not have occasion to go under the surgeon's knife." "Appendicitis. Is generally the result of undigested food fermenting and rotting in the Appendix. A weakened bowel and Constipation help to bring it on. An attack of Appendicitis comes on suddenly, with intense colicky pains. 'Physics' are useless when the Appendix gets weak and helpless. Matusow's Nulfey (tablets) strengthens the Appendix and disinfects the bowels, stopping all fermentation. The safe way to guard against an attack of Appendicitis is to keep the food canal clean and healthy with Matusow's Nulfey (tablets)." "A trial will convince the most skeptical of the merits of Matusow's Nulfey (tablets) in the treatment of all skin diseases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Sodium salicylate (per cent)_____ 51.8

Alkaloid (probably berberine): Present.

Colchicine, quinine, strychnine, morphine, arsenic: Absent.

Emodin: Present.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Matusow's Nulfey * * * A rational remedy for * * * Paralysis, Gout, Liver, Kidney, Bowel and Bladder Troubles * * * Matusow's Nulfey is a Blood Purifier of exceptional merit * * * . A Rational System Remedy for * * * Paralysis, Gout, Liver, Kidneys, Bowels, Bladder, Stomach and the Blood * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole and [or] in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for paralysis, gout, and liver, kidney, bowel, bladder and stomach troubles, and effective as a blood purifier; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for paralysis, gout, or liver, kidney, bowel, bladder or stomach troubles, or effective as a blood purifier. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, included in the booklet aforesaid, to wit, "Mr. Albert F. Rathgeber * * * suffered for over five years with a condition which caused him to be perfectly helpless from his

hips down; he could not take two steps without falling; his bowels and urinary organs seemed to be paralyzed, which caused chronic constipation and involuntary voidance of the urine. He could not get in or out of bed without assist-The doctors pronounced his case locomotor ataxia, and incurable, * * He was recommended by a friend to try Matusow's Nulfey (tablets). The first bottle improved his condition; he continued to use Matusow's Nulfey (tablets) until he was cured. * * *," "* * * Bright's Disease, Diabetes. Dropsy, Hydrocele and Stone in the Kidney. * * * The results it has accomplished, many in cases pronounced incurable and chronic, even in cases diagnosed as Bright's Disease, Diabetes and Dropsy, speak for its efficacy in a manner that the most skeptical cannot disregard. Its combined Diuretic and Tonic properties constitute an effective remedy in such diseases. * * *," "Matusow's Nulfey (tablets) is the best remedy for all Stomach troubles," "* * * There is no remedy known to science which is of equal benefit as Matusow's Nulfey (tablets) in the treatment of Gall Stones, Use Matusow's Nulfey (tablets) early and persistently and you will not have occasion to go under the surgeon's knife," "Appendicitis * * * Matusow's Nulfey (tablets) strengthens the Appendix and disinfects the bowels, stopping all fermentation. The safe way to guard against an attack of Appendicitis is to keep the food canal clean and healthy with Matusow's Nulfey (tablets)," "A trial will convince the most skeptical of the merits of Matusow's Nulfey (tablets) in the treatment of all skin diseases," were false and fraudulent in that, by means of the said booklet, they were applied to said article knowingly and in reckless and wanton disregard of their truth and falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole and [or] in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of locomotor ataxia, and effective as a remedy for Bright's disease, diabetes, dropsy, hydrocele, stone in the kidney, and all stomach troubles, and effective as a remedy in the treatment of gall stones, and effective as a remedy for, and preventive of, appendicitis, and effective in the treatment of all skin diseases; when, in truth and in fact, said article was not in whole and [or] in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the cure of locomotor ataxia, or effective as a remedy for Bright's disease, diabetes, dropsy, hydrocele, stone in the kidney, or all stomach troubles, or effective as a remedy in the treatment of gall stones, or effective as a remedy for, or preventive of, appendicitis, or effective in the treatment of all skin diseases.

On September 20, 1915, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the following charge was delivered to the jury on September 22, 1915, by the court (Thompson, J.):

Gentlemen of the jury, the defendant is charged by the Government in this case with the violation of an act which prohibits the shipping in interstate commerce of certain articles of food and drugs. The specific charge in the case is that he shipped from the State of Pennsylvania into the State of Maryland certain drugs which, within the meaning of the act of Congress, the Government charges were misbranded. The specific charge of misbranding consists, in the charge of the Government, that the package or labels bore or contained statements regarding the curative or therapeutic effect of the article, or of its ingredients, which were false and fraudulent. So that in order to sustain the Government's charge in the case, the fact of shipment from one State to another being admitted, the Government must satisfy you, beyond a reasonable doubt, from the evidence, that the statements contained in the label and on the package were false and fraudulent with regard to their curative or therapeutic effects.

In a criminal case the defendant is presumed to be innocent, and that presumption follows him throughout the case. In other words, the fact that the Government has made a charge against a man and the district attorney has filed an information against him, or the fact that he is on trial, is not to be regarded by the jury as having any weight in determining the guilt or innocence of the defendant. The presumption is that he is innocent, and the jury must be satisfied from the evidence beyond a reasonable doubt of his guilt, before

they are justified in rendering a verdict of guilty.

The charge is that there were statements on the labels and in the pamphlet contained in the packages containing these goods, which were false and fraudulent with regard to their curative or therapeutic effects. So that it is not sufficient for the Government to prove merely that the statements are false, but it must also prove that they are fraudulent, and if the jury are satisfied beyond a reasonable doubt that the statements referred to, which I will refer to in a minute, not only are false, but that the defendant knew them to be false, and that he stated them falsely with the intent to deceive the purchaser, then they would be justified in finding that the statements were false and fraudulent. But if, on the other hand, the jury are not satisfied that the statements are not only false, but that they are fraudulent, beyond a reasonable doubt, then it would be their duty to acquit. So that the mere falsity of a statement would not be sufficient to justify the jury in convicting unless they are satisfied that in stating the falsity the defendant did it knowingly and with intent to deceive and defraud.

The packages are charged in this information with containing certain statements which the Government claims are false and fraudulent. After setting out these statements in the information, the Government charges that the statements were false and fraudulent in that they stated, among other things, that the article contained in the packages was, in whole or in part, composed of or contained ingredients or medicinal agents effective, among other things, as a remedy for paralysis, gout, liver, kidney, bowel, bladder, and stomach troubles, and effective as a blood purifier, when, in truth and in fact, said article was not, in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for paralysis, gout, or liver, kidney, bowel, bladder or stomach troubles, or effective as a blood

purifier.

The other statements are alleged to be false and fraudulent in that they are alleged to have intended to create in the minds of the purchaser the impression and belief that it was an article or drug in whole or in part composed of or containing ingredients or medicinal agents effective, among other things, as a remedy for locomotor ataxia; or effective as a remedy for Bright's disease, diabetes, dropsy, hydrocele, stone in the kidney, or all stomach troubles; or effective as a remedy in the treatment of gall stones; or effective as a remedy for or preventive of, appendicitis; or effective in the treatment of all skin diseases; whereas in truth and in fact these statements are alleged to have been

false and fraudulent.

Gentlemen, you have heard the evidence on the part of the Government. The packages with the labels thereon and the pamphlets contained therein, containing the statements which are said to be false and fraudulent, have been offered in evidence before you. The Government has produced witnesses who have analyzed the contents of the packages, and stated what they found upon the analysis of the packages. The Government has called physicians who testified, as you have heard, that in their opinion, the ingredients found in the package were not effective as a remedy for the disorders which it is stated upon the label they are effective for, and that, in their opinion, there are no substances, drugs, which would be effective as remedies, according to the broad statement made on the labels and in the pamphlets. On the other hand, the defendant has called witnesses to show that in the instances in which they have been treated the drug has been effective as a remedy for the disorders for which they stated they were afflicted. Counsel for the defendant also called your attention to the fact that the chemists who put up this article stated that there were nine ingredients in it, which have not been disclosed to you, but six of which, I believe, were not mentioned by the Government's chemists,

You will take all of this evidence into consideration, and determine first whether the statements which are referred to by the Government with regard to the therapeutic and curative properties of this preparation were false. You will take into consideration the evidence of the Government and the expert physicians as opposed to that of the defendant and his witnesses and determine whether the statements were false. If they are false, then it would be necessary for you to go further and be satisfied beyond a reasonable doubt, in your

mind, not only of their falsity, but that the defendant when he made them knew them to be false and intended by making false statements to deceive and defraud. If you are satisfied beyond a reasonable doubt that the statements upon the package as to the therapeutic and curative properties were false and fraudulent, then it would be your duty to return a verdict of guilty. Upon the other hand, if you are not satisfied beyond a reasonable doubt that they were not only false but fraudulent and made with an intent to deceive and defraud the public, then it would be your duty to return a verdict of not guilty. You will bear in mind the general principles that I have called to your attention. In the first instance the presumption of innocence is in favor of the defendant. It follows him throughout the trial, and the burden is upon the Government to overcome that presumption of innocence by proof which satisfies your minds beyond a reasonable doubt.

The defendant has asked me to charge you upon certain points, which are as

follows:

"1. The jury are not entitled to convict the defendant unless they are satisfied beyond a reasonable doubt that the statements used by the defendant are false and fraudulent."

That is affirmed.

"2. If the jury find that the defendant used the statements, the subject of the charge, in good faith and believing such to be true, the verdict should be 'not guilty.'"

That is affirmed.

"3. The jury should be satisfied beyond a reasonable doubt as to the guilt of the defendant, and if, upon consideration of the evidence the jury have a reasonable doubt as to the guilt of the defendant, the verdict should be 'Not guilty.'"

That is affirmed.

"4. Before the jury are entitled to consider the guilt of the defendant, the prosecution must have established, beyond a reasonable doubt, all the elements that are required to establish the offense charged, and if it has failed to so do it is the duty of the jury to acquit the defendant."

That is affirmed.

"5. The fact that the prosecution has been instituted by the Government is not to be considered by the jury as evidence of the guilt of the defendant. The defendant is presumed to be innocent, and this presumption stands until overcome by evidence that beyond all reasonable doubt establishes the guilt of the defendant."

That is affirmed.

"6. The jury are not bound to accept as conclusive the opinion of an expert witness as to any fact of the case. The jury are the judges of the evidence, and they must be satisfied in their own minds as to all facts upon which testimony has been offered or opinions expressed."

That is affirmed.

"7. The defendant is entitled to a verdict of 'Not guilty' unless the Government has established by evidence beyond a reasonable doubt that the statements appearing in the shipment of drugs were false and fraudulent regarding the curative or therapeutic effects of the articles, and that the defendant falsely and fraudulently made such statements."

That is affirmed.

"8. The jury must consider all the evidence offered, and if, upon the consideration of the testimony on behalf of both the Government and the defendant, there appears a reasonable doubt as to the guilt of the defendant, the verdict must be 'Not guilty.'"

That is affirmed.

"9. The jury are entitled to consider in support of the charge made against defendant only such statements, printed and published by defendant, as bear upon the curative or therapeutic effect of the tablets."

That is affirmed.

"10. Statements that the tablets are a rational remedy are not statements as to their curative or therapeutic effects."

That is refused.

"11. The jury are to consider no portion of the pamphlet offered in evidence, excepting that to which the Government has offered evidence tending to show a false statement, and this only when such evidence bears upon a statement said to be false, which relates to the curative or therapeutic effects of the defendant's preparation."

That is affirmed.

"12. The evidence of the medical experts is that, except in a few cases, drugs or medicines do not work a cure, but are administered for the relief of the patient, and if the jury find that the statements made by the defendant in no case assert a curative property for his preparation, there can be no conviction."

That is affirmed.

"14. The jury are to disregard any evidence offered by the Government unless the same attaches to the charge set forth in the information, or is in support of an allegation made in the information."

That is affirmed.

"15. The defendant is charged with having misbranded his preparation by the use of false and fraudulent statements as to its curative or therapeutic effects. Unless such has been established beyond a reasonable doubt, the defendant is entitled to a verdict of 'Not guilty.'"

That is affirmed.

"16. One is entitled to boost or puff his own wares and merchandise. He can express his own views as to their worth and merit, and he is not chargeable with any offense for so doing as long as the statements made by him are not false or fraudulent."

That is affirmed.

The Government has asked me to charge you upon certain points, as follows:

"1. It is unnecessary for the Government to prove that all the statements on the label or booklet were false and fraudulent. 'If you believe beyond a reasonable doubt that any one statement as to the curative or remedial properties of this medicine was false in fact, and that the defendant knew that it was false, you may find the defendant guilty.' U. S. v. Johnson, 221 U. S. 488."

That is affirmed.

"2. If you believe beyond a reasonable doubt that this product is not a rational system remedy for paralysis, and that the defendant must have known this, you may find the defendant guilty."

That is affirmed.

"3. If you find beyond a reasonable doubt that this product is worthless for any one of the things for which it is labeled, and that the defendant knew this, you may find the defendant guilty."

That is affirmed provided it is one of the things which is charged in the

information.

"4. If you believe beyond reasonable doubt that any one of the therapeutic claims as to its effect upon paralysis, liver, kidney, bowels, stomach, and the blood and the skin is absolutely false, and was made by the defendant with a reckless and wanton disregard as to whether it was true or false, you may find the defendant guilty."

That is affirmed.

"5. If you believe beyond reasonable doubt that the defendant knew that any one of these therapeutic statements as charged in the information was false and misleading, you may infer a fraudulent intent and find the defendant guilty."

That is affirmed.

Mr. Logue. I will ask your honor for an exception to your refusal to affirm the tenth point presented on behalf of the defendant.

(Exception noted for the defendant as requested, by direction of the court.) Mr. Logue. Also an exception to the thirteenth point presented on behalf of the defendant, which was refused.

(Exception noted for the defendant as requested, by direction of the court.)
(The tenth and thirteenth points presented on behalf of the defendant, which were refused by the court, are as follows:

"10. Statements that the tablets are a rational remedy are not statements as to their curative or therapeutic effects."

"13. Under all evidence the verdict of the jury should be 'Not guilty.'")
The Course Contlemen you may retire

The Court. Gentlemen, you may retire.

The jury thereupon retired and after due deliberation returned into the court with a verdict of guilty. The defendant thereupon entered a motion for a new trial which was withdrawn on October 8, 1915, and on said date the court imposed a fine of \$200 and costs.

4191. Adulteration and misbranding of vinegar. U. S. v. Frank Hansell et al. (Philadelphia Vinegar Co.). Pleas of guilty. Fine, \$20. (F. & D. No. 6401. I. S. No. 6625-h.)

On June 1, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Hansell and Frank R. Hansell, trading as the Philadelphia Vinegar Co., Philadelphia, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about June 11, 1914, from the State of Pennsylvania into the State of New Jersey, of a quantity of vinegar which was adulterated and misbranded. The article was labeled: (On one end of barrel) "40 Grain Fermented Syrup Vinegar Galls. Philadelphia Vinegar Co 1523 S Front St Philade." (On other end) "46 Fermented Syrup Vinegar Philadelphia Vinegar Co., Philadelphia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)	0.28
Glycerol (grams per 100 cc)	0.09
Solids (grams per 100 cc)	2. 13
Nonsugar solids (grams per 100 cc)	1.04
Reducing sugars after evaporation (grams per 100 cc)	1.09
Sugar in solids (per cent)	51. 1
Ash (grams per 100 cc)	0.32
Alkalinity of soluble ash (cc N/10 acid per 100 cc)	16. 4
Total phosphoric acid (mg. per 100 cc)	7.3
Total acid, as acetic (grams per 100 cc)	4.29
This analysis indicates that the product consists in large	part
of a mixture of distilled vinegar and a product high in red	ucing
sugars.	

Adulteration of the article was alleged in the information for the reason that a mixture of distilled vinegar and a product high in reducing sugars had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that a mixture of distilled vinegar and a product high in reducing sugars had been substituted in whole or in part for fermented sirup vinegar which the article purported to be.

Misbranding was alleged for the reason that the following statement appearing on the label, to wit, "Fermented Syrup Vinegar," was false and misleading in that it indicated to the purchasers thereof that said article was a fermented sirup vinegar, when, in truth and in fact, it was not a fermented sirup vinegar, but was an imitation sirup vinegar composed almost wholly of, to wit, a mixture of distilled vinegar and a product high in reducing sugars. Misbranding was alleged for the further reason that the article was labeled "Fermented Syrup Vinegar" so as to deceive and mislead the purchaser into the belief that the said article was a fermented sirup vinegar, when, in truth and in fact, it was not a fermented sirup vinegar, but was an imitation sirup vinegar, composed almost wholly of, to wit, a mixture of distilled vinegar and a product high in reducing sugars.

On June 18, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

4192. Adulteration and misbranding of so-called Chianti. U. S. v. George Acunto et al. (Caserta Wine Co.). Plea of guilty. Fine, \$30. (F. & D. No. 6404. I. S. Nos. 6760-h, 6761-h.)

On September 21, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Acunto and Nicholas Finizio, copartners, doing business under the trade name of the Caserta Wine Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on October 11, 1913, from the State of New York into the State of Pennsylvania, of a quantity of so-called Chianti wine which was adulterated and misbranded. The product was labeled: (On quart bottle) (principal label) "Fine Table Wine—Superior to any Quality of Chianti (foreign coat of arms, monogram of C. W. Co., scrolls, etc.)." (Neck band) "Bottled by the Caserta Wine Co., New York. Net contents 32 ounces." (Or "16 ounces" on the pint bottles.)

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that by organoleptic tests the article was not a Chianti wine, and it was a low-grade, inferior article and bore evidence of having been compounded.

Adulteration of the article was alleged in the information for the reason that an imitation Chianti had been substituted wholly or in part for Chianti which the article purported to be.

Misbranding was alleged for the reason that the statement "Chianti," borne in prominent type on the label, regarding the article and the ingredients and substances contained therein, together with certain pictorial designs and devices, and the shape and style of the bottle characteristic of imported Chianti wine, not corrected by the statement borne on the neck of said bottle, "Bottled by the Caserta Wine Co., New York," were false and misleading in that they indicated that said article was Chianti, a wine of Italian origin, whereas, in truth and in fact, said article was not Chianti, a wine of Italian origin, but was an imitation Chianti wine manufactured in the United States of America. Misbranding was alleged for the further reason that the article was labeled "Chianti" in prominent type, which said label also bore certain pictorial designs and devices, which, together with the shape and style of the bottle characteristic of imported Chianti wine, and which was not corrected by the statement borne on the neck of the bottle, "Bottled by the Caserta Wine Co., New York," all and singular, were calculated to deceive and mislead the purchaser into the belief that it was Chianti, a wine of Italian origin, whereas, in truth and in fact, said article was not Chianti, a wine of Italian origin, but was an imitation Chianti wine manufactured in the United States of America.

On September 28, 1915, a plea of guilty was entered on behalf of the defendant copartnership, and the court imposed a fine of \$30.

4193. Adulteration of canned beans. U. S. * * * v. 189 Cases and 215 Cases of Canned Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 6419, 6420, 6421, 6422, 6423, 6457, 6458, 6459, 6460, 6461, 6462. I. S. Nos. 2767-k, 3429-k. S. Nos. E-238, E-245.)

On March 31, and April 22, 1915, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 189 cases and 215 cases of canned beans, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by the W. F. Assau Canning Co., Baltimore, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the two libels of information for the reason that the same consisted in part of a filthy, putrid, and decomposed vegetable substance.

On August 12, 1915, the said W. F. Assau Canning Co., claimant, having filed a satisfactory bond in the sum of \$600, in conformity with section 10 of the act, judgments of condemnation and forfeiture were entered in the two cases, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings.

The bond, above referred to, provided, among other things, that the product might be removed to Baltimore, Md., for salvage purposes, and there might be repicked under the supervision of the Department of Agriculture, and the bad portions of the product destroyed, and if, in the judgment of the Department of Agriculture, the repicking of the product was found impracticable, that the same should be wholly destroyed.

(The report of this department, upon which proceedings in this case were based, did not include a finding that the product consisted of a putrid vegetable substance.)

4194. Adulteration of canned beans and canned pork and beans. U. S.

* * * v. 160 Cases of Canned Beans; U. S. * * * v. 150 Cases of
Canned Beans; U. S. * * * v. 460 Cases of Canned Pork and
Beans; U. S. * * * v. 25 Cases of Canned Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 6425, 6431, 6436, 6437, 6438, 6439, 6440,
6441. I. S. Nos. 2768-k, 2769-k, 749-k, 2774-k. S. Nos. E-239, E-240, E-241.

On April 1, 3, 10 and 16, 1915, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 160 and 150 cases of canned beans and 460 and 25 cases of canned pork and beans, remaining unsold in the original unbroken packages at Boston and Marlboro, Mass., alleging that the products had been shipped by W. W. Boyer & Co., Baltimore, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the products was alleged in each of the libels of information for the reason that the same consisted in part of a filthy, putrid, and decomposed vegetable substance.

On August 12, 1915, the said W. W. Boyer & Co., claimant, having filed a satisfactory bond in the sum of \$1,000, in conformity with section 10 of the act, judgments of condemnation and forfeiture were entered in the four cases, and it was ordered by the court that the products should be delivered to said claimant upon payment of the costs of the proceedings.

The bond above referred to provided, among other things, that the product might be removed to Baltimore, Md., for salvage purposes, and there might be repicked under the supervision of the Department of Agriculture, and the bad portions of the product destroyed, and if, in the judgment of the Department of Agriculture, the repicking of the product was found impracticable, that the same should be wholly destroyed.

4195. Misbranding of alimentary paste. U. S. * * * v. 73 Packages of
* * * Paste. Consent decree of condemnation and forfeiture.
Product ordered released on bond. (F. & D. No. 6430, I. S. No. 9854-h, S. No. W-39.)

On April 5, 1915, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 73 packages of alimentary paste, remaining unsold in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped, on or about March 27, 1915, by the Vesuvio & Piedmont Paste Co., San Francisco and Oakland, Cal., and transported from the State of California into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "Perfected Steam Factory. Vesuvio Brand Superior Quality. Alimentary Paste. Naples Style. Manufactured by Vesuvio and Piedmont Paste Company, San Francisco and Oakland, Cal."

Misbranding of the article was alleged in the libel for the reason that the label on each of the packages bore a design, device, and statement regarding said paste which was false and misleading, in that said label displayed a picture of the Bay of Naples and city of Naples, with Mount Vesuvius in eruption in the distance, which, together with the words "Naples Style" and "Vesuvio Brand," displayed in large letters, gave the general appearance and impression that said product was a product of foreign manufacture, and the words "San Francisco and Oakland, Cal." were displayed in very small letters in the lower right hand corner, and were not of sufficient prominence to correct the statement and general appearance of the label above described, both of which were misleading. It was further alleged that the label and brand of said paste as above described was so displayed as to deceive and mislead the purchaser into believing same to be a foreign product, when said paste was in fact manufactured in the cities of San Francisco and Oakland, in the State of California.

On May 28, 1915, the said Vesuvio & Piedmont Paste Co., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it appearing to the court that the costs of the proceeding had been paid, and that a bond in the sum of \$250, in conformity with section 10 of the act, had been filed in the court by said claimant, it was ordered by the court that the product should be delivered to said claimant.

4196. Misbranding of alimentary paste. U. S. * * * v. 309 Boxes of * * * Paste. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6434. S. No. W-40.)

On April 7, 1915, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 309 boxes of "Alimentary Paste," remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped, on or about February 9, 1915, by the Vesuvio & Piedmont Paste Co., San Francisco and Oakland, Cal., and transported from the State of California into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "Perfected Steam Factory. Vesuvio Brand. Superior Quality. Alimentary Paste. Naples Style. Manufactured by Vesuvio and Piedmont Paste Company, San Francisco and Oakland, Cal."

Misbranding of the article was alleged in the libel for the reason that the label on each of the packages bore a design, device, and statement regarding said paste which was false and misleading in that said label displayed a picture of the Bay of Naples and city of Naples, with Mount Vesuvius in eruption in the distance, which, together with the words "Naples Style" and "Vesuvio Brand," displayed in large letters, gave the general appearance and the impression that said product was a product of foreign manufacture, and the words "San Francisco and Oakland, Cal." were displayed in very small letters in the lower right hand corner and were not of sufficient prominence to correct the statement and general appearance of the label above described, both of which were misleading. It was further alleged that the label and brand of said paste, as above described, was [were] so displayed as to deceive and mislead the purchaser into believing the same to be a foreign product, when said paste was in fact manufactured in the cities of San Francisco and Oakland, in the State and northern district of California.

On May 28, 1915, the said Vesuvio & Piedmont Paste Co., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it appearing to the court that the costs of the proceeding had been paid, and that a bond in the sum of \$250, in conformity with section 10 of the act, had been filed in the court by said claimant, it was ordered by the court that the product should be delivered to said claimant.

4197. Adulteration of canned beans (Ruxton Brand). U. S. * * * v. 100 Cases of Canned Beans (Ruxton Brand). Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 6442, 6443. I. S. No. 758-k. S. No. E-242.)

On April 10, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 100 cases of canned beans (Ruxton Brand), remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that the same consisted in part of a filthy, putrid, and decomposed vegetable substance.

On June 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the article consisted of a putrid substance.)

CARL VROOMAN, Acting Secretary of Agriculture.

4198. Misbranding of "Wm. Radam's Microbe Killer." U. S. * * * v. 6
Cases * * * of "Wm. Radam's Microbe Killer." Default decree
of condemnation, forfeiture, and destruction. (F. & D. No. 6444.
I. S. No. 19003-k. S. No. W-41.)

On April 14, 1915, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, each containing 12 bottles of "Wm, Radam's Microbe Killer," remaining unsold in the original unbroken packages at Portland, Ore., alleging that the product had been shipped, on April 10, 1915, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. Each of the cases was marked in part: "Wm, Radams Microbe Killer Wm, Radams Microbe Killer Trade Mark Manufactured San Francisco Calif Glass With Care This side up Steamer Bear." The bottles in two of the cases were labeled: "William Radam's Microbe Killer Three * * * a blood purifier antiseptic and tonic Directions * * * number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsilitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and other blood and chronic diseases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and keep well; read the book; mailed free until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif." The bottles in two other cases were labeled: "William Radam's Microbe Killer Two * * * a blood purifier * * * antiseptic and tonic. Directions * * * number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsilitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and other blood and chronic discases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and keep well; read the book; mailed free until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif." The bottles in the remaining two cases were labeled: "William Radam's Microbe Killer One * * * A blood purifier, antiseptic and tonic; Directions * * * number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsilitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and ether blood and chronic diseases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and

keep well; read the book, mailed free, until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif."

Misbranding of the article was alleged in the libel for the reason that the label upon each of the bottles bore and contained statements regarding the curative effect of the drug and contents thereof and of the substance in said bottles contained, which were false and fraudulent, in that the said drug and substances so in each of the bottles contained were but an aqueous solution of sulphurous and sulphuric acids and wholly ineffective in the treatment and cure of headache, neuralgia, croup, mumps, measles, whooping cough, tonsilitis, throat complaint, dyspepsia, indigestion, gastritis, and other stomach troubles, and of asthma, bronchitis, consumption, colds, coughs, malaria, croup, catarrh, rheumatism, tumors, cancers, and other blood and chronic diseases, or any thereof, but was a dangerous drug and substance when taken into the human body and system and wholly unfit for human consumption and use.

On July 26, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

29857°-16--5

4199. Adulteration and misbranding of vinegar. U. S. * * * v. 9 Barrels of * * * Vinegar. Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6447. I. S. Nos. 12755-k, 12756-k. S. No. C-191.)

On or about April 17, 1915, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 barrels of vinegar, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped, on or about February 27, 1915, and transported from the State of Tennessee into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled, in part, "First Pick Brand Pure Apple Vinegar, diluted to five per cent acid strength."

Adulteration of the article was alleged in the libel for the reason that each of the barrels contained distilled vinegar or a solution of acetic acid, which had been mixed and packed with and substituted for apple vinegar.

Misbranding was alleged for the reason that the statement, design, and device, and labels of said barrels were false, misleading, and deceptive, so as to mislead and deceive the purchaser or purchasers thereof, in that said barrels did not contain pure apple vinegar diluted to 5 per cent acid strength, as on said label and brand stated, but, in truth and in fact, contained distilled vinegar or a solution of diluted acetic acid, mixed and packed with, and substituted for, pure apple vinegar.

On May 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and, it appearing to the court that the Dawson Brothers Manufacturing Co., Memphis, Tenn., was the owner of the product, it was ordered by the court that, upon payment of the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act, by the said Dawson Brothers Manufacturing Co., the marshal should deliver the barrels of vinegar to said company.

4200. Adulteration of tomato pulp. U. S. * * * v. 20 Cases of Canned Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6449. I. S. No. 3127-k. S. No. E-246.)

On April 17, 1915, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of canned tomato pulp, remaining unsold in the original unbroken packages at or near Alexandria, Va., alleging that the product had been shipped, on or about March 5, 1915, and transported from the State of Maryland into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On July 8, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the article consisted of a putrid vegetable substance.)

INDEX TO NOTICES OF JUDGMENT 4151 TO 4200.

N. J	f. No. 1	N	J. No.
Alimentary paste. See Paste.		Matusow's Nulfey:	
Apples, evaporated:		Matusow, II	4190
Ladd Bros	4153	Menthol:	
Beans:		Hollander-Koshland Co	4171
	4189	Microbe killer:	
canned:		Radam, Wm., Laboratory	4198
	4197	Milk:	1100
Assau, W. F., Canning Co	4193		44=0
		Woodworth, H. N	4158
Boyer, W. W., & Co	4194	Wright & Warrell	4170
pork and, canned:		Nulfey tablets. See Tablets.	
Boyer, W. W., & Co	4194	Nuts:	
Blackberry extract. Sec Extract.			4151
Brandy, cognac:		Brazil:	
Basilea-Calandra Co	4166	Kruger, F. P.	4159
Giordano, A	4185	Oats. See Feed.	
	3100	Oil, cod liver, extract. See Extract.	
cognac type:	44.55	olive:	
Leffler, J. A., & Co	4177	Grogan, C. P	4155
Brazil nuts. See Nuts.			4155
Chianti wine. See Wine.		Olive oil. See Oil.	
Cod-liver oil extract. See Extract.		Paste, alimentary:	
Coffee:		Vesuvio & Piedmont Paste	
Fischer, B., & Co	4182	Co 4195,	4196
		Plaster, X-ray porous:	
Cognac. See Brandy.		Slocum, T. A., & Co	4188
Crystal lithium spring water. See		Pork and beans, canned:	
Water.		Boyer, W. W., & Co	4194
Diphtheria remedy. See Remedy.		Porous plaster. See Plaster.	1101
Elixir tonico stomatico:	-	Preventics:	
American Union Cordial			4400
Co. of Pennsylvania	4161	Shoop's, Dr., Laboratories_	4186
· ·		Pulp, tomato. See Pulp.	
Evaporated apples. See Apples.		Radam's Wm., microbe killer:	
Extract, blackberry:		Radam, Wm., Laboratory	4198
Michigan Drug Co	4152	Radway's sarsaparillian:	
cod-liver oil:		Radway & Co	4179
Hollander-Koshland Co	4171	Raspberry extract. See Extract.	
raspherry:		Remedy, diphtheria:	
Magnus & Lauer	4165	Shoop's, Dr., Laboratories_	4186
vanilla:		kidney:	1100
Heinle, C. L., Specialty Co_	4160	Smith Medicine Co	4154
Feed, oats:	1200		4194
Fagg & Taylor 4162, 4163,	4164	Sarsaparillian:	
		Radway & Co	4179
·	4178	Shoop's, Dr., diphtheria remedy:	
Hooper Grain Co	4172	Shoop's, Dr., Laboratories_	4186
Flour:		preventics:	
Burton, J. H	4180	Shoop's, Dr., Laboratories_	4186
Hill's sirup of tar:		Sirup, tar:	
	4171	Hollander-Koshland · Co	4171
Kermott's, Dr., extract of black-		Smith's kidney remedy:	
			4154
berry:	4150	Smith Medicine Co	4194
	4152	Tablets, Nulfey:	44.00
Ketchup. See Tomato ketchup.		Matusow, H	4190
Kidney remedy. See Remedy.		Tar, sirup of. Sec Sirup.	
Liniment:		Tomato ketchup:	
Mag-No-Co	4176	Cruikshank Bros. Co	4175
Lithium spring water. Sec Water.		pulp:	
Mag-No Brand Liniment:		—— —— 1156, 4187,	4200
	4176	Miller Bros. & Co	

Tonico stomatico, elixir: N. J. No.	Vinegar—Continued. N. J. No.
American Cordial Co. of	Philadelphia Vinegar Co 4191
Pennsylvania 4161	Purity Vinegar Works_ 4183, 4184
Vanilla. See Extract.	Water, lithium spring:
Vinegar:	Crystal Lithia Water Co 4174
4168	Wine:
Chandler, B. T., & Son 4181	Vazzoler, C 4173
Dawson Bros. Manufactur-	(suppl. to 3833)
ing Co 4199	Chianti:
Old Kentucky Cider Vine-	Caserta Wine Co 4192
gar Works 4167, 4169	X-ray porous plaster. See Plaster.

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